

**Animal Welfare Regulation Development  
workshops and meetings  
August/September 2015**

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## **OVERVIEW PRECONSULTATION WORKSHOP**

During August and September 2015 MPI hosted a series of stakeholder workshops and meetings on animal welfare matters for regulation.

These involved key stakeholders from a variety of industry and NGO groups. Providing an early opportunity for them to provide input into the development of regulations to improve animal welfare outcomes. MPI identified 87 matters that may be suitable to regulate, and sought views from those possessing experience and expertise with animals and animal welfare.

During workshops participants were generally split into two groups to map out and answer questions relating to each matter. In particular the core areas of interest for MPI were:

- How practical would regulation in this area be? Will it improve animal welfare or peoples' practices?
- How feasible would regulating in this area be? What are the likely costs/benefits of regulating in this area?
- Are there any other key areas missing?
- Are there any specific circumstances that might be exceptions to regulating an area?
- Are there any key areas where regulating is not appropriate? Why?

The following notes outline general comments made throughout the workshops, and feedback for each specific matter addressed. Comments are captured in relation to how practical, feasible, and important a group felt regulating a matter was. To facilitate free and frank discussion, participants were assured that no attributions would be made in the note taking.

Afterwards participants were given the opportunity to add any further comments or thought they had in the following week post-workshop. These have been attached in separate documents at the end of each set of workshop notes.

**Pastoral Christchurch - NAWAC / MPI Workshop**  
**Animal Welfare Regulations**  
**25 August 2015 (9.30 am – 4.30 pm)**  
**Ministry for Primary Industries**  
**Sir William Pickering Drive**  
**Christchurch**

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**Attendees:** 1 x DairyNZ, 1 x Beef & Lamb, 1 x Road Transport Forum NZ, 1 x National Livestock & Transport Safety Group, 1 x SPCA, 1 x NZ Merino, 2 Dairy farmer, 1 Veterinarian, 2 Sheep and Beef farmers, Facilitator, NAWAC, 6 x MPI.

**Actions arising:**

- Participants had a week to send in any comments after the workshop (completed)
- MPI to circulate notes of meeting mid-September 2015
- Dairy NZ offered to provide details of their working group on disbudding and the progress of the dairy industry induction dispensation programme (completed).
- One sheep and beef farmer offered to provide further information about sheep horn removal, reasons for short tail length, sheep teeth grinding (completed).
- One veterinarian offered to provide Dairy Cattle Veterinarians position on a number of matters including disbudding, tail shortening, teat occlusion, supernumerary teat removal, electro-immobilisation, and tooth extraction and endodontic procedures (completed).
- After comment the notes will be published on the MPI website.

**Welcome**

The chair of the National Animal Welfare Advisory Committee (NAWAC), welcomed the participants and thanked them for making time to come and discuss the animal welfare matters. He outlined the recent amendment to the Animal Welfare Act 1999 which has provided the power to make regulations. The role of NAWAC as an independent advisory body to the Minister was set out.

MPI has a clear role in developing the animal welfare regulations. In this case an unusual step has been included providing for NAWAC to give direct advice to the Minister about what should be regulated. It is the Minister's choice to then take that advice or not.

This workshop is part of a continuing process from the animal welfare strategy, through the amendment act, to developing regulations. This workshop is part of a wider regulation development process. At this stage nothing is fixed, MPI are here to listen to your views.

MPI expressed thanks for the participants lending their expertise and on farm experience. Regulations are only part of the broader framework of codes of welfare, guidance and the Animal

Welfare Act.

### General comments from the floor

- It was proposed that good regulations should be enabling i.e. if specific practice is banned then there should also be a something to say how it can be done.
- Enabling regulation is desired where tools to assist compliance should be added to the tool box for those subject to them e.g. adding better polled genetics.
- Regulations should clarify grey areas. It is not a good place to be where you're unsure if a practice is lawful.
- Before regulating it is also important to ask the question 'are there alternatives?' For example meat processors introduced codes of practice adherence to which gained a premium, but over time these became part of standard supply contract.
- Neglect of animals is a serious issue. It might be difficult for regulations to address. There are often mental health, or other stresses involved. Minor neglect is hard to define, severe neglect is covered by the Act.
- A clearer understanding of MPI's role in the wider framework was sought. The transport industry is a highly regulated industry and gets to see a lot of regulations. Some good, some not. Support was offered for teasing out long a complex processes. Support from the industries was noted as important. This informal pre-consultation was noted as a good start.
- DairyNZ's support for animal welfare was outlined:
  - At the highest level DairyNZ have an animal welfare strategy. They work with dairy companies to implement. Several matters for discussion today are covered in that work.
  - DairyNZ want to do more work with MPI, farmers, and vets on specific areas e.g. disbudding
  - Extension workshops are also run to raise awareness and provide practical skill based training for high risk areas e.g. care of calves and calving.
  - DairyNZ also provides various resources around farm systems and farm management.
- Beef & Lamb saw little discord between animal welfare and productivity – healthy stock is productive stock.
  - Most of their animal welfare work is framed through improving farm systems.
  - Market access does a lot of work to persuade markets (esp. Europe) that different (extensive pastoral system) doesn't equal worse.

- Federated farmers policy supports compliance with animal welfare legislation and codes of practice.
  - Cautioned that many cases of neglect are down to mental health issues where it doesn't help to throw the book.
  - Federated farmers provide a lot of tools to help farmers manage their farms.
  - Recidivism is worthy of penalties.

## Workshop

The participants split into two groups to discuss the matters. One focused on matters relating to cattle and one on matters relating to sheep. In particular, each group was to decide whether a matter would be practical to implement and how important the matter was to animal welfare. There are no right or wrong answers, and no attributions, unless requested. The groups then reviewed each other's positions and these comments are also captured in the table of matters. If the groups had different views then both views are reflected. The comments are captured below.

Then after sheep and cattle one group considered dog matters and the other transport matters, with notes compared afterwards. The groups then came together to consider the 'All animal' matters. Finally, potential penalties were discussed and are added at the end of each matter in [brackets].

## Findings

### 1. Electric prodders – Important, practical and feasible

Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

General agreement, noted needed definitions for 'Adult' and 'Electric prod'.  
Known current use was only on cattle, but thought maybe some deer also?

Adult – at one year old, and animal can be 600kg and difficult to handle. Suggested aim is to avoid use of electric prodders on young calves e.g. bobbies. Weight was felt to be more measurable and certain than age. Vet technicians sometimes use prodders to get calf-heifers onto teat sealing platform.

Electric prodders - Considered equipment restrictions i.e. voltage – size of charge.  
Are mains prodders still used? Use to be seen in dairies but no longer. Only known at slaughter plants. Frequency should be stipulated e.g. maximum four attempts then try something else. Animal welfare, but also public and market access drivers. Suggested 100kg could be a suitable weight to ensure robustness, also common weight of calves going off farm.

Alternatives? – If a big 1 year old goes down in the race and you can't prod? An electric prod is probably better than tail twisting.

Health & safety – strong focus on H&S. Handling in all situations can be dangerous.  
Transporters loading crates is a particular example with a robust discussion on options if a cattle beast turns on you in the crate.

Quality Assurance programmes were mentioned particularly the NZLTA Livestock Transport Assurance scheme which limits frequency of use and areas. As use is rare on

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farm considered of low importance.

**[Infringement]**

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**2. Prodding - Important (cattle), Practical and feasible (group 1) / Important (sheep), problematic (group 2)**

Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

**Group 1**

Agreed important – not many comments – definition of sensitive discussed. It was asked what other areas than those listed might be considered sensitive. A suggestion of open wounds was put forward. Definition may need to be tightened up.

**Group 2**

Although important, there are inherent definitional issues with restricting prodding in 'sensitive areas', particularly the head of an animal (eyes). This will require refining.

Further definitional issues around what constitutes a 'prod', touching v hitting and in between. Becomes problematic to apply in an on farm situation if these aren't clearly differentiated.

**[Infringement]**

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**3. Handling – Important, practical and feasible**

Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

Important but some issues around sheep and emergencies.

**Sheep** – Is there evidence that mishandling is an issue with sheep?

Wording is too general, needs to allow manipulation by head as well as limbs. Also in wider circumstances than just shearing i.e. crutching, dagging, tailing lambs. Catching a lamb in any circumstances will almost always be by a leg.

**Emergencies** – noted that there will be exceptional circumstance where extricating an animal may require using whatever purchase is available. Examples given cow falls off a rotary platform, stuck in bog, drain etc. Discussed animal welfare inspectors use of discretion and also general defence for emergency or extenuating circumstances.

**[Infringement]**

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**4. Cattle - Supernumerary teat removal (up to 6 weeks) - Not important, but practical and feasible**

- A sharp instrument must be used OR rubber rings must not be used for this procedure.

Dairy disbudding occurs at 1-4 weeks. Over 6 weeks problematic to handle as animal more vigorous.

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Not an issue in Beef (not done).

**[Infringement]**

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**5. Cattle - Teat removal or supernumerary teat removal (over 6 weeks) - Not important, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

Question raised if vet technician could be suitable trained and/or supervised? Group thought probably could, but leaving it at a vet level would encourage people to get it done earlier (before six weeks).

Velvet programme considered the Rolls Royce of non-vet training programmes, has audits and has potential to apply in other situations.

**[Infringement]**

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**6. Cattle - Teat occlusion - Important, practical and feasible**

- Prohibit occlusion of teats for non-production purposes

Needs to be clear about teat-sealants = production purposes at drying off. Registered teat-sealants should be exempted from this regulation (i.e. registered under Animal Compounds and Veterinary Medicines Act 1997).

Needs to say don't use rubber ring on a teat, or broader mechanical restriction /external device.

What does "non-production purposes" means?

Question raised if vet technician could be suitable trained and/or supervised? Group thought probably could, but leaving it a vet level would encourage people to get it done earlier (before six weeks).

**[Infringement]**

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**7. Cattle - Induction - Not important, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must only be performed for therapeutic reasons.

Question was raised about how do we know about compliance?

- Drugs only from a vet so either a farmer would have to illegally import the drugs (covered by ACVM Act), or a vet would have to not follow the process (covered by Vet Council Code of Conduct).

Clarified this only covers routine inductions i.e. for therapeutic reasons / non-routine cow health reasons.

An industry programme is in place which appears to be having good results, so does this need regulation?

**[Infringement]**

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**8. Cattle - Claw removal - Not important, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

Clearly significant surgical procedure under the Act.

Vets do amputate claws reasonably frequently - Only vets - never heard of a farmer attempting it as it is very surgical.

Local pain relief only last 45 minutes or so, should consider longer term pain relief.

**[Infringement & offence – graduated scale preferred]**

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**9. Cattle - Tail shortening (removing the last 2-3 vertebrae) - Important, but problematic –**

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons.
- Must use pain relief at the time of the procedure.

Noted that this is a change from the current minimum standard and this could be problematic as an estimated 20% of farmers are still routinely shortening tails (<1% are docked). Implementation would need phase in transition.

Had comments both that shortening is more common on crops as they get muckier, and that one participant had no problem with full tails (switch trimmed) on kale and fodder beet. Driven by perception of better hygiene, not necessarily supported by evidence.

**[Infringement]**

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**10. Dairy - Important, practical and feasible**

Restrict blunt force trauma for killing calves – emergencies only

Seen as important for NZ reputation. Current practice. May need to define emergencies. Could be useful to provide skills training around alternatives: Captive bolt and firearm.

Potentially some further issues around humane destruction of production animals in general.

**[Infringement & offence – graduated scale preferred]**

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**11. Dairy - Important but problematic**

Prohibit tail twisting or lifting for the purposes of causing discomfort or pain, or to induce movement of the cattle beast.

Clarified this would apply to all cattle. Noted would not be the same for deer.

Noted current practice of tail-jacking (bending the tail upwards) used particularly by vets for restraining cattle. Difficult especially when other options for moving cattle (electric prodders) are also being restricted.

Could be worded ‘...in such a way that damages tails.’ However, this is then tail-breaking, which is currently an offence under the Act. Having a tail break at the higher

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level under the Act seems to be working well in reducing the number of instances.  
**[Infringement]**

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**12. Dairy - Important, practical and feasible**

Prohibit inserting water or air into a cow's vagina to stimulate milk let down

Old practice, now uncommon and generally frowned upon. Not allowed in the Code of Welfare.

There are cheap and effective alternatives i.e. oxytocin.

**[Infringement]**

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**13. Dairy/Sheep & Beef - Important (for cattle, not for sheep), practical and feasible**

Prohibit using a moving vehicle to provide traction in calving or lambing

Does occur, not often, but awful when it does. Should have calving kit to hand with appropriate devices. Good animal welfare and reputation reasons for regulation.

Not an issue for sheep, if regulated in this manner may feed a perception that it is in fact an issue that needs to be addressed.

**[offence]**

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**14. Dairy/Sheep & Beef - Important, practical and feasible**

Failure to treat ingrown horns

Could be more clearly defined – Skin irritation versus penetration of skin/skull. Discussed that removing the tips of 'dead horn' (no blood supply) ok e.g. with embryotomy wire. Otherwise dehorning proposal requires pain relief.

Horns can be a transport issues. Ingrown particularly an issue for beef cattle, especially high country cattle that might not be mustered for months. Could provide impetus for improved Hereford polled genetics. Dairy beef also an issue, as dairy breeds mostly horned.

**Sheep**

Treatment occurs in Merino, is in the animal's and farmers best interests, no issues.

**[Infringement]**

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**15. Sheep and cattle - Castration, shortening of the scrotum (under 6 months) - Important, borderline practical/problematic -**

- Rubber rings must be used OR High tension bands must not be used for this procedure.

Vast majority done with rubber rings but if can't fit a rubber ring on then use a high tension band (no pain relief), possibly for one or two late castrations.

Questioned definition – high tension bands are just bigger rubber rings. Requested a follow up on the science on high tension bands, experience didn't indicate a big

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difference in pain levels for rubber ring vs high tension band.

### **Sheep**

No evidence of high tension rubber band use on sheep. Fine with requirement for rubber rings, should possibly stipulate rubber rings only.

Favoured graduated scale, though noted that this was a clear cut decision to perform an action in a certain way rather than an omission or a just slipping under a threshold for a more variable practice.

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## **16. Sheep and cattle - Castration (over 6 months), surgical castration, shortening of scrotum**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

### **Important (for sheep, not for cattle), practical and feasible**

**Cattle** - Not done often, if done then definitely a vet.

**Sheep** - Practical, feasible and important – there are no known alternatives.  
**[offence]**

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## **17. Cattle, sheep, goats - Disbudding - Important, practical and feasible**

- Must use pain relief at the time of the procedure.

Significant numbers don't use pain relief at present so implementation could be problematic. May be practical implementation differences between Dairy and Beef. Industry led work being undertaken on disbudding.

**Definition** – discussed distinction between disbudding and dehorning. Age was rejected as too variable between species (goats very quick), breeds (highland cattle particularly quick), and individual animals. Settled on anatomical 'disbudding is before hornbuds attach to the skull'. Discuss practicalities where 'disbudding is until disbudding tools do not fit over horn bud', but different sizes of tools available.

**Dairy** – most dairy calves disbudded. 2-6 weeks still small and easy to disbud. A whole industry is setup around disbudding. Probably 50/50 split between farmer disbudding vs vet technicians or contractors.

**Beef** – Most Herefords disbudded but may be done at older age than dairy especially on high country farms. Farmer disbudding probably closer to 80/20 contractors.

**Challenges** – Change in attitudes, farmer access to pain relief, more paperwork, greater mortality rate (though low). Opinion was also given that disbudding doesn't seem that painful compared to other procedures. The calves don't seem that concerned afterwards and will relatively quickly start to graze.

Acknowledged it is a painful procedure, but that this requirement would be significant shift in practice for about 50% of the sector. There will be some practical issues to work through.

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**Sheep** - Not widespread in NZ, potentially in high country situations but no solid evidence currently.

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**18. Cattle, sheep, goats - Dehorning - Important but problematic**

- Must use pain relief at the time of the procedure.

Definition needs distinction from disbudding. Anatomical used 'dehorning is once hornbuds have attached to skull'.

Not so common in dairy only those missed at disbudding, but more common in extensive beef where may only be mustered at weaning.

It was suggested the size of the horns could make a difference. It was also suggested that the procedure be made vet only as it is quite surgical. Noted that mixing cattle herds with horns an issue for transport.

An uncommon technique that uses an elasticated band at the base of the horn was brought up as a possible exemption. The horn falls off after about six weeks similar to lambs tails of castration by rubber ring. The pain was questioned and participants debated if it would be similar to tails and castration.

**Sheep – Merino** - Practicality issue for farmer when faced with choice to bring in vet for sheep or doing the procedure themselves. More often than not the cost, practicality outweigh this and the sheep will be euthanised. Serious consideration should be given to how farmers would be expected to access pain relief in these situations.

**[Infringement]**

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**19. Sheep - Tail docking (under 6 months) - Important but problematic**

- Must use hot iron or rubber rings.

- Tail must be long enough to cover the vulva in females or equivalent length in males.

Noted change from currently enforced practice would need a transitional period and the appropriate warning or penalty would depend on position in transition period.

A reiteration of the status quo and best practice. 6 month timeframe is generous when compared with actual practice which occurs earlier. Added that the 6 month determination is hard to gauge.

Tail Length

Depends a lot on the sheep and variation between farms. These are generally not left long, shorter is preferred to help with fly strike – growth rates remain the same between animals

Note: that some breeds are traditionally docked short, links to breed standards. Also stud likely to short dock rams for appearance.

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**20. Sheep - Tail docking (over 6 months) - Important, practical and feasible**

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

No issues, practical and important.

**[Split offence and infringement]**

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**21. Sheep - Mulesing - Prohibit mulesing - Important, practical and feasible**

Some mulesing exists in industry, but there has been a significant change in practice through industry codes of welfare and initiatives. Would estimate that only 5% actually practice this.

Require clear definitional differentiation between mulesing and non-mulesing. There are variations i.e. chemical treatment in Australia.

MPI should ensure a regulation does not inhibit other feasible and potential practices – should be concerned with the ‘how’ in definition.

**[offence]**

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**22. Rodeos - Prohibit riding sheep (including outside of rodeos) Not important, not practical or feasible**

Should not be a regulation. Not seen as an important animal welfare issue. The harm to the animal is not immediately clear if it is limited to riding by children in a controlled environment such as AMP shows.

Ok with possibility to put a weight limit on those riding, but overall there are more important matters that should be addressed. Noted this could be a crossover between animal welfare plus health and safety.

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**23. Goats - Tethered goats must have constant access to water, food, and shelter. Are inspected at least once every 12 hours. Tether excludes goat from the path of vehicles. Important, practical and feasible.**

Fine, if hours prescription is dropped. Not directly related to the animal's welfare and impractical to enforce.

**[Infringement]**

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**24. Dogs - Tethering, including collars, does not cause injury or distress - Important, practical and feasible**

Questioned consistency with goats. Suggested adding access to food and water.

**[Infringement]**

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**25. Dogs - Prohibit use of pinch and prong collars - Important, practical and feasible**

Not known to be used. Consider restricting sale.

**[majority = offence]**

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**26. Dogs - Dry, sheltered sleeping quarters, access to ventilation and shade - Important, practical and feasible**

Suggested adding constant access to water when restricted to sleeping quarters.

**[Infringement - offence]**

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**27. Dogs - Sufficient exercise - TBC - requires further definition - Important but problematic**

To variable to be appropriate for regulation. If a regulation then favoured scale from infringement for minor breach to Offence for major breach.

Working dogs unlikely to be under-exercised therefore of low importance. Difficult to define due to breed differences and pet vs working differences. Working dogs may not get exercised every day e.g. day on day off. But because they get a full and vigorous day of exercise this represents adequate exercise and rest.

Considered that in some cases it may be a low form of neglect and is that as blameworthy as intentional harm? In some situations you may have to constrain exercise e.g. recovery from injury or illness.

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**28. Dogs - Muzzling a dog must not injure or restrict breathing or drinking Important, practical and feasible**

Suggested muzzle should be correctly fitted. Noted if vicious, can bite. Non-biting muzzles e.g. for dangerous breeds can restrict breathing/drinking.

Might muzzle a young dog (learning) with lambs, or if dog is known biter, especially if drafting for works.

**[Infringement to offence]**

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**29. Dogs - Must not be left in vehicles where likely to suffer from heat stress - Important, practical and feasible**

Common sense – not a farm issue. Noted this is a current issue in Christchurch due to a lack of houses where pets are allowed. Some dogs kept in cars. Generally okay over winter, but coming into the warmer months it will be a growing issue.

**[Infringement to offence]**

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**30. Dogs - On vehicles on public roads must be secured so as to prevent them from falling off - Not important and problematic**

Not practical – possibly with working dogs at work exception. Too much change from current practice – not going to happen. If aimed at unrestrained dogs on state highway or urban road then need to be reworded. Maybe around state highways, high speed on open road, or exemption for low speed.

Already transport offence of unsecured load.

**[Infringement]**

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**31. Dogs & Cats - Prohibit killing by drowning Important, practical and feasible**

Need to provide advice / promote awareness of correct alternatives. **[offence]**

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**32. Dogs - Freeze branding - Not important but practical and feasible**

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

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No particular knowledge of practice – should talk to hunting association.  
**[split between infringement & offence]**

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**33. Dogs - Dog debarking (and devoicing of other species) Borderline important/unimportant, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.

No known issues – no particular comment.  
**[offence]**

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**34. Dogs - Cropping the ears (performed on the pinnae of the ears to make them stand up)**

- Prohibit cropping the ears of a dog - **Not important, but practical and feasible**

No known issues – no particular comment.  
**[offence]**

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**35. Dogs - Front dew claw removal in dogs, articulated back dew claw removal - Borderline important/unimportant, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

No issue for dairy and beef farms – uncommon if at all. Some sheep dogs maybe – use sidecutters, more of an issue for hunting dogs.  
**[offence]**

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**36. Dogs - Back dew claw: non-articulated (greater than or equal to 4 days) - Borderline important/unimportant, but practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

*Note: It is not proposed to regulate the removal of non-articulated back claws under 4 days*

No comments. Uncommon for dairy and beef farms, if at all.  
**[offence]**

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**37. Dogs - Tail docking - Important but borderline practical/problematic**

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

Raised consistency between species – Sheep, pigs okay, cattle, horses, dogs not okay.

Also raised some breeds of dog prone to tail-splitting. Better to deal with it early rather than after it is injured. Suggested exemption before a certain age or for some breeds.  
**[offence]**

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**38. Transport - An animal must be fit for transport - Important, practical and feasible**

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Consensus that this is an important issue but a lot to address to ensure feasible. No issues with proving actual condition is fit/unfit rather the issues arise around responsible parties.

Central issue of how we identify liability/an action that create harm and the state of unfitness to the animal. Primary legislation sets out liabilities but proving is problematic. For example should a transporter be liable for stock condition when loading large stock quantities in darkness where not feasible to check each animal. It is essential MPI look at mechanisms to identify liability within the chain.

Possibility to look at a more targeted chain of liability to address specific situations – for example a sliding scale of separate offences :

1. Farmer/Person in charge
2. Transporter
3. Procuring/Allowing to transport.

Must use some discretion. Clarified that liability across the supply chain is already covered under the Act.

**[Graduated scale from Infringement to Offence – though more work to be done in defining offences]**

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**39. Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress- Important but problematic.**

Yard Issues

Loading and unloading off truck – often issues that facilities aren't fit for purpose i.e. races are in a state of disrepair.

Drivers

Transporters possess discretion and have an obligation at time of loading, but issues arise as to what is accepted as up to standard. This requires further guidance.

Compliance

Proves difficult evidentially to regulate. Minimising risk proves very grey to interpret, unless measurable assessment criteria is created.

Chain of liability

Fundamental issue of where liability lies within complex chain of people in charge of and handling stock. Farmer – Agent – Transporter – Works.

**[Graduated scale from Infringement to Offence – though more work to be done in defining offences]**

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**40. Transport - Animals must be appropriately prepared for transport including provision of sufficient food and water - Important but problematic.**

Emphasised that preparation is not solely about food and water. This can become complex to interpret depending on the circumstances, duration of journey and animals involved.

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Issue raised of possible conflict between regulation obligations and the other legal obligations. For example feed spill from transport (Land Transport Act 1998).  
**[Graduated scale from Infringement to Offence – though more work to be done in defining offences.]**

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**41. Transport - Containers must allow the animal to travel in a natural posture - Important but problematic.**

Foreseeable difficulties in what is 'natural posture'? Sizing requirements with transporters may conflict with other legislation such as Land Transport Act 1998. Alternatives come at larger cost when dealing with larger animals.

Transport regs could also be addressing common issues such as ventilation and temperature requirements.

**[Graduated scale from Infringement to Offence – though more work to be done in defining offences]**

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**42. All animals - Hot branding - Prohibit hot branding - Important, practical and feasible**

Noted possible use on Shetland ponies. Low importance because little used, if at all.  
**[Offence]**

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**43. All animals (except dogs) - Freeze branding - TBC - discuss options to minimise pain Important, practical and feasible**

Rarer these days (pig hunters). Plenty of alternatives tags, electronic, microchips.  
**[Graduated scale infringement to offence.]**

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**44. All animals - Non-invasive dental work (does not involve extracting teeth, going under the gumline, or interfering with the pulp) Important but problematic.**  
- Must only be performed using dentistry tools.

Sheep teeth grinding: An unscrupulous practice was raised where the front two incisors could be ground down to try and pass a 'two tooth' off as a 'lamb'. However, no instances of this practice are known.

It was also reported back that there is no other known reason for tooth grinding or any known instances in NZ.

Check with zoos about their practices.

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**45. All animals - Tooth extraction and endodontic procedures (involving pulp) - Important, practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

Not routine but noted odd sheep tooth extraction for a sideways growing tooth. If vet required then cost wouldn't be worth it, euthanize sheep instead.

Noted covered under existing legislation.

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Interesting for the equine dentistry as much is carried out by non-vets, often with the pain relief provided by a vet but not the vet doing the dentistry. This is probably an area for NZEHA.

**[Offence]**

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**46. All animals - Embryo collection via exteriorised uterus (surgical embryo transfer)**  
**Important, practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

No issues

**[Offence]**

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**47. All animals - Liver biopsy - Important, practical and feasible**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

No issues

**[Offence]**

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**Other matters raised**

- Treatment of lameness by inadequately trained people
- Electro-immobilisation and frequency of use.
- Can regulate for monthly dosing of dogs for ovis?
- MPI use of discretion in regulating all of these matters – decision making process as to when penalty should apply.

**Comments on Penalties**

There was a strong preference for some discretion, or system of graduated offences, especially first time offences versus repeat offending, and slipping below a threshold through carelessness versus a conscious decision to act in a non-compliant manner.

The seriousness of the matter, and the clarity with which it could be defined were also identified as needing to be considered when thinking about penalties.

A point was raised around the dangers of changing current practices. If an enforcement agency brought a lot of cases it would stretch resources, but also the court may look at the number of cases and ask why this change in practice wasn't addressed before it got to court.

**Concluding Remarks**

The facilitator presented back the highlights and key themes of the workshop session to the group. The NAWAC chair concluded the session by thanking the group for taking the time to attend the

**NAWAC / MPI Workshop**  
**Pastoral Animal Welfare Regulations**  
**28 August 2015 (9.30 am – 4.30 pm)**  
**Copthorne Hotel - Solway Park**  
**Main Road, Masterton**

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weeks. Notes of the workshop will be presented back to the group over the next month, and further feedback is warmly invited.

**Attendees:** 1 x Dairy NZ, 1 x RNZSPCA, 1 x Beef and Lamb, 4 x Federated Farmers, 1 x NZIPIM, 1 Vet, NZVA, NAWAC Chair, 6 x MPI.

#### **Actions**

- Participants had a week to send in any comments after the workshop (completed)
- MPI to circulate notes of meeting mid-September 2015.
- MPI to provide Fed Farmers with 'Fit for Transport' guidance material (completed)
- After comment the notes will be published on the MPI website.

#### **Welcome**

The chair of the National Animal Welfare Advisory Committee (NAWAC), welcomed the participants and thanked them for taking the time to attend the workshop on animal welfare matters for regulation. MPI is working with NAWAC as an independent committee in developing three sets of new animal welfare regulations. NAWAC will then advise the Minister for Primary Industries on regulation, it is then the Minister's choice to follow this advice or not.

The regulation making process will be split into two tranches. This workshop addresses care and conduct matters in the first tranche of regulations. Many of the matters today have been lifted from existing Codes of Welfare. Food, water and shelter will be addressed in the second tranche of regulations due to their complex nature.

MPI's role in the workshop is to listen and take notes, no attributions will be made unless otherwise requested. Participants were also encouraged to provide any further feedback to MPI up to a week after the workshop, to ensure any subsequent thoughts or views were captured. The workshop notes will be provided to participants by mid-late September.

The participants were asked to formally introduce themselves and who they were representing at the workshop. Before beginning on the breakout sessions, comment was invited from the present

industry groups to discuss any existing animal welfare contributions.

### General comments from the floor

- Dairy NZ noted that they had produced guidance to practically achieving good animal welfare.
- Federated Farmers have been focussing on information sharing in animal welfare space, also working with NAWAC on codes of welfare

### Workshop

The participants split into two groups to discuss the matters one focused on matters relating to cattle and one on matters relating to sheep. In particular, each group was to decide whether a matter would be practical to implement and how important the matter was to animal welfare. There are no right or wrong answers, and no attributions, unless requested. The groups then reviewed each other's positions and these comments are also captured in the table of matters. If the groups had different views then both views are reflected. The comments are captured below.

The after sheep and cattle one group considered dog matters and the other transport matters, with notes compared afterwards. The groups then came together to consider the 'All animal' matters.

### Findings

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#### 1. Electric prodders - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

##### Cattle Group: Practical/Feasible and Important

- Issue – what is the definition of adult cattle? Adult cattle could be over 1 year of age, but weight is likely to be an easier measure than age to avoid use on calves. Weight should be 100 or 150 kilograms. If use age, 6- 9 months may be a better age. Electric prodders should not be used on calves.
- Prodders are used to move cattle for health and safety reasons. They are used to get cattle to move onto trucks and to move downer cattle. They should be used as a last resort.
- Issue – repeated use of electric prodders is a welfare issue and voltage can also be an issue. Vet guidelines are to use electric prodders no more than 3 times on an animal at any time.

##### Sheep Group: Important but Not Practical

- Rarely used on sheep in practice.
- Issue: Question of what is better practice from a welfare stand point in yard situation where dogs barking to move stubborn stock as opposed to a light prod in necessary situations. Time, resource, practicality and distress to animal should be accounted for.
- MPI should be conscious of restricting innovation – where an alternative method using similar means that are less stressful to the animal might be developed.

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#### 2. Prodding - Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

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#### **Cattle Group: Practical/Feasible and Important**

- Issue – what is prodding vs touching? Is using a pipe touching while using a sharp item is prodding? There is a need to touch animals on the head/nose in the rotary cow shed. For instance, if the cow has stuck its head in the wrong place in the rotary shed, there is a need to touch them on the nose to get them to go backwards. There is also a need to drive cattle using a stick in cattle yards – it is important for health and safety.
- Issue - cattle that are lame should not be goaded – real animal welfare issue – include this in the regulation?
- Issue – about the areas used for prodding. A cow's head is not a sensitive area overall, but the eyes are sensitive. Also cattle should not be prodded in an open wound – an open wound should also be classed as a sensitive area in the regulation.
- Issue – enforceability. Would this be enforced through finding injury to the areas?

#### **Sheep Group: Practical/Feasible and Important**

- Prodders not used on sheep, no problems with restriction in sensitive areas.
- Issue: MPI should be conscious of possible prodding 'tools' that may be developed in future that might contradict the matter but *do* meet welfare requirements – be careful of stifling innovation through regulation.

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3. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails.  
Sheep may be handled by their limbs for the purpose of shearing.

#### **Cattle Group: Practical/Feasible and Important**

- Problematic – mice are picked up by their tails and calves are dragged out of their mother – traction. There is other manhandling of animals. Seems inconsistent with rodeos.
- Exceptional circumstances must be considered – e.g. dragging cows out of drain by head to save livestock.
- Important – want to prevent throwing animals off trucks, dragging by ears etc.

#### **Sheep Group: Important but Not Practical**

- Important definitional issues arise where there is a prescriptive nature (accidents v intentional).
  - What is a 'drop'? There is good practice and bad practice here i.e. shearing situation.
  - Could lead to potential confusion around practice – "lifted or dragged by wool" is a highly situational requirement.
  - The best way to resolve this could be through making obligations outcome based to
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- create more certainty, for example dragging *causing* x,y,z.
  - Alternatively inserting exceptions would remove impracticalities.
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**4. Cattle - Supernumerary teat removal (up to 6 weeks)**

- A sharp instrument must be used OR rubber rings must not be used for this procedure.

**Practical/feasible and Not important**

- Issue – age – is a potential issue. Supernumerary teat removal is usually done when there is another procedure being done eg disbudding at 10 weeks. Disbudding technicians would normally do the teat removal. The NZVA code says 6 or 8 weeks is the upper age for supernumerary teat removal, but doing the procedure at 10 weeks of age is not a problem in terms of pain. If do at disbudding, there will be a range of ages. The disbudding technique of using sedation makes teat removal easier.
  - Issue – replace sharp instrument with sharp, clean scissors – scissors are the best tool and lots of other sharp instruments would be unsuitable e.g. knives.
  - Practical/feasible – need some competence to do the procedure as cutting off the wrong teat can cause problems. The procedure is being done by disbudding technicians now, which is fine.
  - Importance – don't think rubber rings are being used, so a regulation would reflect current practice.
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**5. Cattle - Teat removal or supernumerary teat removal (over 6 weeks) -**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

**Practical/feasible and Not important**

- Issue – what age supernumerary teat removal should be vet only from (see under 6 weeks discussion).
  - Agreement – needs to be done under appropriate pain relief and by a vet – blood supply is increased in older animals and the area would bleed a lot after removal.
  - Importance – current practice now, so a regulation would reflect current practice.
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**6. Cattle - Teat occlusion -**

- Prohibit occlusion of teats for non-production purposes

**Practical/feasible and Not important**

- Importance – debate whether it is important. It may occur e.g. the use of blocking clips for cosmetic reasons.
  - Issue – must not include production purposes. Teat sealants are like toothpaste that sits at the bottom of teats. They are not a welfare issue as they are not painful. They are used for drying off cattle to prevent infection. The use of teat sealants will increase significantly with new antibiotic rules.
  - Issue – only registered teat sealants should be used.
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**7. Cattle - Induction -**

- Must be performed by a vet or vet student under supervision.
  - Must only be performed for therapeutic reasons.
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#### **Practical/feasible and Not important**

- There is no need for regulation – Non-routine inductions are banned through an industry agreement. There is a good process in place now for all dairy farmers with committee approval needed for inductions. It is also clear to vets what is therapeutic and vets have a code of practice. The committee is comprised of members from Federated Farmers, Dairy NZ, NZVA and MPI.
- Issue – vets may stop knowing how to induce as there are so few inductions being done.

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#### **8. Cattle - Claw removal -**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

#### **Practical/Feasible and Important**

- Practical – done by a vet now, so current practice.
- Important – need for pain relief – some cases of vets from different countries not using pain relief – a reason to regulate.

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#### **9. Cattle - Tail shortening (removing the last 2-3 vertebrae) -**

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons.
- Must use pain relief at the time of the procedure.

#### **Problematic and Important**

- Problematic – It is much more practical to trim tails if take bottom 2-3 vertebrae off. Trimming of tails is important for milk quality (prevent faeces on cow udders, which is important for food safety and prevents mastitis). Switch trimming can need to be done all year round e.g. pasture cows. Trimming would take considerable more time with the bottom 2-3 vertebrae. 20% of farmers are doing it currently.
- Problematic – Pain relief is not practical. It is not easy to block pain in the tail. It would be more painful to use pain relief than to dock the tail.
- Docking of the entire tail should be prohibited.

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#### **10. Dairy - Restrict blunt force trauma for killing calves – emergencies only**

#### **Practical/Feasible and Important**

- Current practice already.

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#### **11. Dairy - Prohibit tail twisting or lifting for the purposes of causing discomfort or pain, or to induce movement of the cattle beast.**

#### **Practical/Feasible and Important**

- Important – trying to stop fractured tails eg from a loss of patience, using tails to induce movement, and twisting and snapping.
  - Practical/Feasible – can easily avoid breaking tails by lifting up cow's tail in a controlled manner i.e. a vertical lift from the base of the tail. If use wrong technique, can break tails easily.
  - Practical/Feasible - tail lifts are used for health and safety, not to move cattle. They
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are used to restrain animals and for animal husbandry. Should insert exception of 'restraint' into definition to allow for these purposes.

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**12. Dairy - Prohibit inserting water or air into a cow's vagina to stimulate milk let down**

**Practical/Feasible and Important**

- OK with the proposal
- Important – it does happen in practice.

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**13. Dairy/Sheep & Beef - Prohibit using a moving vehicle to provide traction in calving or lambing**

**Not Important or Practical**

- Agreed it would be an issue but it doesn't happen in practice. Could limit emergency situations where required.

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**14. Dairy/Sheep & Beef - Failure to treat ingrown horns**

**Practical/Feasible and Important**

- Ingrown horns – definition – touching the skin, breaking the skin.
- Practical/feasible - result from poor disbudding method, can just treat them (issue is leaving the horns), and not common.
- Important - a number have turned up at the works.
- Tightening the regulation for disbudding could result in the unintended consequence of more ingrown horns.
- Sheep: Only possible issue with Merino not widespread – may be appropriate to cover 'lifestyler' situations.

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**15. Sheep and cattle - Castration, shortening of the scrotum (under 6 months)**

- Rubber rings must be used OR High tension bands must not be used for this procedure.

**Problematic and Important (cattle)**

- Important – high tension bands won't prevent blood coming in, resulting in a swollen scrotum. High tension bands are not used by many people anymore – they were a bit of a fad driven by their company's sales push.
- Problematic – does prescribing the use of rubber rings up to 6 months create the expectation that 6 months works? At 6 months it can work if the bull is not too big, but it will not always work. There are also more complications at 6 months of age. Will it be self-governing – if bull is too big, farmers will just go to a vet? An alternative could be 4 months.
- Not sure what beef farmers' perspective will be on this matter.
- There are alternatives if rubber rings are too small – chemical and surgical castration.

**Practical/Feasible and Important (Sheep)**

- High tension bands very uncommon in sheep, rubber rings appropriate. Cutting without rubber rings may occur time to time where no rings available, ring supply is more of a farm management issue however – not problematic in sheep situation.
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#### 16. Sheep and cattle - Castration (over 6 months), surgical castration, shortening of scrotum -

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

##### Practical/Feasible and Important

- Fine – current practice.
- No issues for sheep, doesn't occur.

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#### 17. Cattle, sheep, goats - Disbudding -

- Must use pain relief at the time of the procedure.

##### Problematic and Important

- Issue – group didn't reach a consensus on merits of using pain relief.
- Buds – growing from the skin, free-floating, what is the definition of 'buds'?
- Important – research shows local anaesthetic reduces pain for hours after the procedure. Local anaesthetic should be a minimum.
- Practical - the pain relief can be applied to animals standing or in a crate. The anaesthetic can be given by disbudding technicians or farmers through Vet Operating Instructions.
- Problematic – pain relief would make process much slower and also increase cost to farmers. From a farmers' perspective – will pain relief just prolong the stressful experience for the animals? Pain relief should be best practice, rather than regulation.
- The Federated Farmers Dairy Council had a vote on this matter and they voted for no anaesthetic.
- DairyNZ has data on who is doing disbudding – a significant number of farmers are doing it themselves such as using gas machines.
- **Sheep:** Not an issue generally.
- **Goats:** Lifestylers will normally bring into vets, this is appropriate, as goats possess a lower tolerance to local anaesthetic.

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#### 18. Cattle, sheep, goats - Dehorning

- Must use pain relief at the time of the procedure.

##### Problematic and Important

- Horns are fused in the head
- Important – pain relief is necessary as there is significant pain from dehorning.
- Practical – Vet operating instructions allow farmers to do the pain relief themselves.
- Problematic – there are also welfare implications of using anaesthetic – the time in the crush for animals. In addition, sometimes rubber rings are being used but these cause significant pain and are unreliable.
- Impact not known on beef cattle farm systems
- **Goats:** Need requirement to be done by a vet. Evidence that goats have a lower tolerance to local anaesthetic.

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#### 19. Sheep - Tail docking (under 6 months) -

- Must use hot iron or rubber rings.
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- Tail must be long enough to cover the vulva in females or equivalent length in males.

**Practical, Feasible and Important**

- Important - but more of a historical issue. Generational shift from older methods and practices may be problematic i.e. knifing.
- 'Long enough' may be problematic in application – question arose of why insert a tail length requirement? This was too avoid short docking and set a standard.

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**20. Sheep - Tail docking (over 6 months)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

**Practical, Feasible and Important**

- Although important, hardly applicable as this is not common nor an issue.

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**21. Sheep - Mulesing**

- Prohibit mulesing

**Practical, Feasible and Important**

- No issues, only really relevant in rare merino situations.

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**22. Rodeos - Prohibit riding sheep (including outside of rodeos) - Not Important or Practical**

- Not important from a welfare point of view where only kids riding. If it were to be more, then could be addressed through ill treatment under the Act if level of behaviour warrants this.
- Would run into strong opposition from rural community.

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**23. Goats - Tethered goats must have constant access to water, food, and shelter. Are inspected at least once every 12 hours. Tether excludes goat from the path of vehicles.**

**Practical, Feasible and Important**

- General agreement
- Issue: ability to prove inspection has taken place once in past 12 hours could be problematic from enforcement perspective.

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**24. Dogs - Tethering, including collars, does not cause injury or distress\**

**Practical/Feasible and Important**

- Issue – when a dog goes on a collar for the first time, it can cause mental distress.
- Issue – should the wording not be 'likely to cause injury'? However, it is easier to prove with the current wording and there is always a defence if injury or distress was an accident eg dog jumps fence with tethering and hurts itself.

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**25. Dogs - Prohibit use of pinch and prong collars**

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#### **Practical/feasible and Important**

- Agreement with prohibition
- Is it also possible to prohibit supply?
- Electronic collars are also an issue – tranche 1 or tranche 2? Electronic collars should be prohibited.

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#### **26. Dogs - Dry, sheltered sleeping quarters, access to ventilation and shade**

##### **Practical/feasible and Important**

- Draft free area is important

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#### **27. Dogs - Sufficient exercise - TBC - requires further definition**

##### **Practical/feasible and Important**

- Real issue – providing dog with freedom from restraint (off tether, out of kennel etc).
- Need for distinction between pet dogs and working dogs
- Pet dogs – need 1 hour a day off restraint
- Working dogs – need 1 hour every other day off restraint (working dogs need breaks sometimes as they get tired with strenuous work).
- Suggestion that ‘freedom of movement’ may be a more flexible term to insert.

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#### **28. Dogs - Muzzling a dog must not injure or restrict breathing or drinking**

##### **Practical/feasible and Important**

- Muzzles are used on aggressive dogs (sometimes required by law) and greyhounds (to prevent injuries to other dogs)
- Important – Dogs need frequent access to water and to pant when they are under heat stress. Some muzzles prevent drinking eg vets use these muzzles for exams of dogs and muzzles used to prevent dogs going after rabbits. These types of muzzles should not be used for a long period of time.

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#### **29. Dogs - Must not be left in vehicles where likely to suffer from heat stress**

##### **Practical/feasible and Important**

- Agreement
- Additional requirement – dogs must not be left ON vehicles where likely to suffer from heat stress (to prevent dogs on the backs of utes from suffering heat stress).

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#### **30. Dogs - On vehicles on public roads must be secured so as to prevent them from falling off -**

##### **Practical/feasible and Important**

- Agreement as long as does not include working dogs while they are working (working dogs need to be able to jump on and off vehicles when moving stock).

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#### **31. Dogs & Cats - Prohibit killing by drowning -**

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#### **Practical/feasible and Important**

- Agreement that it should be prohibited, alternatives to drowning are clear (vet, euthanasing).
- Believe that the practice still occurs with cat traps
- Possibly problematic where emergency situation could exist for farmer to do so to stock (rivers etc) – however would likely be covered by exception elsewhere in the Act.

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#### **32. Dogs - Freeze branding**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

#### **Problematic and Important**

- Freeze branding is used to identify dogs, particularly by pig hunters. Microchips are the best alternative.
- Important - the pain of freeze branding will be intense for working dogs and pig dogs as they have no fat. There is definitely a need for pain relief.
- Problematic – Pig hunters are doing the branding themselves currently.

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#### **33. Dogs - Dog debarking (and devoicing of other species)**

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.

#### **Practical/feasible and Important**

- Agreement with proposal
- This is not a common procedure – comes up when there has been barking complaints
- The only alternative is euthanasia

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#### **34. Dogs - Cropping the ears (performed on the pinnae of the ears to make them stand up)**

- Prohibit cropping the ears of a dog

#### **Practical/feasible and Important**

- Agreement

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#### **35. Dogs - Front dew claws removal in dogs, articulated back claws removal -**

- Must be performed by a vet or vet student under supervision.
- Must only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

#### **Problematic and Important**

- Important – Injuries with dew claws are not common. Dew claw removal is not common for working dogs.
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- Problematic – Breeders want these claws removed as they are considered a genetic defect in appearance, so there is less demand for these animals.
  - Will be able to tell if dew claws have been removed, even after a year, as would see the bone left on the dog.
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**36. Dogs - Back dew claws: non-articulated (greater than or equal to 4 days)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

*Note: It is not proposed to regulate the removal of non-articulated back claws under 4 days*

- Agreement
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**37. Dogs - Tail docking**

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

**Problematic and Important**

- Important – Support for use of pain relief from vets.
  - Problematic – Issue for dog breeders, not for working dog owners. Most vets would not be doing this practice now - just a few vets and owners.
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**38. Transport - An animal must be fit for transport**

**Important but Not Practical**

- No issues with the statement intent, but definitional issues around what is fit and grading criteria could become problematic.
  - Foot rot issues in sheep highlighted as hard to reasonably comply with where not immediately obvious - is animal fit if it has foot rot but can still bear weight on foot, but might become issue down the track? Lack of practical options for farmer to assess this, as well as economies of scale considerations.
  - Chain of liability issues arise of where responsibilities lie in transport chain. Farmer, Transporter, Agent, Works. Farmer – agent power dynamic where farmers may be put in a difficult position by an agent.
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**39. Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress.**

**Practical, Feasible and Important**

- Important - statement in general is fine.
  - Closely aligned with handling and prodding obligations – also yard/facility conditions.
  - Particular issue with bobby calves which are prone to going the wrong way during loading and preparation for a variety of factors such as age of calves, conditions they are placed in and the duration of transportation. Suggested that some of these requirements should be placed in the primary legislation as causes some of the biggest current animal welfare issues.
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**40. Transport - Animals must be appropriately prepared for transport including provision of sufficient food and water**

**Important but Not Practical**

- No issues in theory, providing sufficient food and water for longer journey necessary. However problems arise where farmer is under impression that stock will head straight to destination, where often in reality the transport company will drop in to various other places for work before reaching destination.
- Very hard to provide 'sufficiency' for uncertain transport duration.
- Poor stockmanship from handlers can also contribute to issues where stock are mixed along their journey.
- Flexibility in wording is good to accommodate different situations, and guidelines would be important to assist with grey areas.

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**41. Transport - Containers must allow the animal to travel in a natural posture**

**Practical, Feasible and Important**

- Agreed an important issue (bobby calves), but how to best address it remains uncertain. If it can be regulated appropriately then ok, but much will be driven by the transporter's vehicles, designs/configuration of containers.
- Strong desire from group that transporters be involved across all potential transport obligations.

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**42. All animals - Hot branding - Prohibit hot branding**

**Practical, Feasible and Important**

- No issues

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**43. All animals (except dogs) - Freeze branding - TBC - discuss options to minimise pain**

**Practical, Feasible and Important**

- No issues, uncommon other than in hunting situations.
- Should look into possibility of further requiring non-local pain relief to be used.
- Practical – freeze branding is only used in horses and cattle and not commonly. Racehorses may be freeze branded for authenticity and so that anyone anywhere can see their identity i.e. for international airports. However, thoroughbreds are also now microchipped. Cattle that are freeze branded are mainly Angus bulls and black bulls to easily identify their age and farm of origin. The freeze branding shouldn't be necessary now though given NAIT tags.
- Important- pain relief is important. There can be 2-3 days of pain.
- Type of pain relief - Local anaesthetic will wear off after an hour. What is commonly used on horses is sedation, but this is so the brand is legible i.e. so the horse doesn't move upon application. The only practical pain relief is non-steroidal anti-inflammatories.

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**44. All animals - Non-invasive dental work (does not involve extracting teeth, going under the gumline, or interfering with the pulp)**

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- Must only be performed using dentistry tools.

#### **Practical, Feasible and Important**

- Important for horses – their teeth do not wear evenly, so that it causes dental issues. There is a major equine dentistry industry to file teeth and check their bite.
- Not an issue for sheep, practicality and cost means animal is generally euthanased before reaching this procedure.
- Issues may arise for animals such as horses. Should look at inserting an element of competency for persons performing.

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#### **45. All animals - Tooth extraction and endodontic procedures (involving pulp)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

#### **Practical, Feasible and Important**

- Uncommon in sheep, other than rare cases of age manipulation (removing back teeth).
- Horses – invasive procedures would include removing teeth.
- Issue – horses – vets do not necessarily want to do the work of equine dentists.

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#### **46. All animals - Embryo collection via exteriorised uterus (surgical embryo transfer)**

- Must be performed by a vet or vet student under supervision
- Must use pain relief at the time of the procedure.

#### **Practical, Feasible and Important**

- No issues

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#### **47. All animals - Liver biopsy -**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

#### **Practical, Feasible and Important**

- No issues
- 

#### **Other Issues Raised**

- Stock trucks carrying dogs present a disease and welfare issue for farmer.
- Mobbing of cattle from different herds - similar disease issues as above and social structure of herd negatively affected. Possibly more of a stockmanship issue rather than transporters.
- Dogs – poor body condition eg skinny and fleas, should look at as part of Tranche 2. Can also use a Compliance Order currently.

#### **Summary Comments and Conclusion**

The facilitator summarised some key points in other matters raised

- Benefits of infringement tools clear
- MPI should be careful of definitional subtleties.
- Don't replace proven industry programmes
- Trade-off between prolonging an accepted act vs what is really in best interests of the animal in specific situations.

The NAWAC chair concluded by thanking the group for their time and sharing their expertise

### **Post Workshop Feedback for Christchurch and Masterton Workshops**



Farmer  
Feedback.pdf



Feedback post  
workshop - DairyNZ



Feedback post  
workshop - Federat



Feedback post  
workshop - beef & l



Feedback post  
workshop - Dairy Ca



Feedback post  
workshop Sheep B



Feedback post  
workshops - Dairy v



Merino Farmer  
Feedback.pdf



**NAWAC / MPI Workshop  
Pig Welfare Regulations  
26 August 2015 (9.30 am – 12.30 pm)  
Ministry for Primary Industries  
Sir William Pickering Drive  
Christchurch**

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**Attendees:** 2 x PorkNZ, 5 x Farmers, 1 x SPCA, NAWAC, 6 x MPI, Facilitator

**Actions arising:**

- Participants have a week to send in any gems that struck them after the workshop (completed)
- MPI to circulate meeting notes mid-September for comment
- PorkNZ offered to provide the industry fit to transport guidance (completed)
- One farmer offered to provide North American Transport Quality Assurance guidelines and other information, particularly in relation to the use of swine slappers.
- After comment the notes will be published on the MPI website.

**Welcome**

The chair of the National Animal Welfare Advisory Committee (NAWAC), welcomed the participants and thanked them for making time to come and discuss the animal welfare matters. He outlined the recent amendment to the Animal Welfare Act 1999 which has provided the power to make regulations. The input from farmers is valuable to assess the potential impact of regulations and how they might best be implemented. The role of NAWAC as an independent advisory body to the Minister was also covered.

MPI has a clear role in developing the animal welfare regulations. In this case an unusual step has been included providing for NAWAC to give direct advice to the Minister about what should be regulated. It is the Minister's choice to then take that advice or not.

It was reiterated that this workshop is part of a wider process, at this stage nothing is fixed, NAWAC and MPI are here to listen to your views.

MPI also expressed thanks for the participants lending their expertise and on farm experience. The regulations should be seen as part of the broader hierarchy of codes of welfare, guidance, and the Animal Welfare Act. MPI noted that the Minister wanted farmers around the table from early on.

MPI outlined the regulation process:

- Heads up meeting with NZPork in March
- Free and frank exchange of views then and at this workshop
- Joint NAWAC/MPI process to identify matters
- These pre-consultation workshops to refine matters
- Undertake formal consultation early next year
- Regulations in place late next year.

This is part of a series of workshops and meetings including pastoral, deer, poultry, companion animals, horses, transporters, stock and station agents, and meat processing companies.

#### General comments from the floor

- It was confirmed that the earlier heads up meeting was mainly general background with few specifics discussed, but it had indicated that with the farrowing crate review underway, farrowing crates as a whole would be dealt with in the second tranche of regulation development rather than this first tranche.
- The structure of the regulations was questioned and it was confirmed that some regulations may cover multiple species while other may be species specific where appropriate.
- It was also raised that these documents are public documents. MPI should be accurate with document's wording which can be vulnerable to misconstrued excerpts being spread around on social media.
- It was raised that there is too great a disconnect between regulators and industry. These often complex areas need greater cooperation.
- It is important not to be overly prescriptive because the industry changes rapidly.
- Changes are made not necessarily with regulations in mind but for the benefit of the farmer's animals.
- The industry needs to be able to remain dynamic and move with the changing demands.
- MPI noted that regulations are necessarily less dynamic.
- NAWAC was mindful of the need to be very careful with regulations and avoid hasty regulation.
- It was also put forward that while prescriptiveness could be an issue, so could over-generalisation.

#### Workshop

Two groups were formed to go through each of the specific matters. In particular, each group was to decide whether a matter would be practical to implement and how important the matter was to animal welfare. There are no right or wrong answers, and no attributions, unless requested.

Where both groups agreed on the matter's importance and practicality, the comments have been combined. Differences between the groups are noted along with the reasons. Note: the group didn't indicate which matters might suit infringement or regulation offence.

## Findings

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### 1. **Electric prodders - Important, borderline practical/problematic**

Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

Pig farmers do not use electric prodders. There is unlikely to be one on the premises. Occasionally a driver loading a very difficult animal might use one. Clarified that the transport code did not allow the use of electric prodders on pigs.

Noted that North America outlawed use of electric prodders on pigs 5 or 6 years ago. The industry complained but has worked it out. Key tools used are 'pig slappers' – though they may seem similar to small whips. The driver for that change was commercial positioning.

Not using electric prodders is part SPCA accreditation- neither farmers nor drivers use them. Moving a big sow that has sat down in the race can hold up transport. Health and safety issues involved with getting in with her and getting her going again. The need for consistency was noted i.e. cattle allowed but only as a last resort.

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### 2. **Prodding - Not important (group 1)/important (group 2), practical and feasible**

Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

Pigs are mostly moved using pig boards, visual and noise cues.

Noted pigs are not whipped in NZ – Questioned why it is mentioned? The wording could raise issues in the media i.e. pig whipping – media might say why are pig farmers whipping pigs? Clarified it is a current prohibition in the code, so if it is wanted to continue to prohibit it, it should move into regulations. However, if it doesn't happen then regulation may be unnecessary.

Definition of what 'whipped' actually means is problematic – requires defining to avoid covering acts such as 'light tapping' of an alkathene pipe to help load pigs.

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### 3. **Handling – Not important (group 1)/important (group 2), practical and feasible**

Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

Noted could be subjective and would need to tighten up on wording.  
Noted use of nose snares for temporary restraint does not conflict with proposal.

There is necessary handling by the tail which shouldn't be covered. But picking up and suspension isn't a problem.

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4. **Pigs - Must have separate lying, dunging, and eating areas - Important but problematic**

Questioned what does this mean? What defines a separate area? What is the welfare hazard that it aims to address?

Problematic for outdoor breeders: noted that just because you provide separate areas it does not mean the pig will use them. In hot weather pigs will often dung and then lie in it because this is cooling. Issue reflects matter 5 where if sufficient growing space then pigs will ultimately decide where these behaviours will occur.

As a complex area perhaps it is better suited to remain in the code?

Current wording would put every pig farmer in breach.

Referring back to the minimum standard the key concept missed appears to be 'provide for' separate areas i.e. give the pigs the choice of a dry bed.

Wording from PigCare is roughly 'Pigs must have the opportunity to have a dry lying area'.

Noted concern about providing consistency across species.

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5. **Pigs - Grower pigs must have lying space of at least:  $\text{Area(m}^2\text{) per pig} = 0.03 \times \text{liveweight } 0.67(\text{kg})$  - Important, but problematic (group 1) / practical and feasible (group 2)**

Given low importance due to lack problems arising.

Noted that this minimum standard relates to indoor systems, and for an indoor system it is adequate.

Doesn't make provision for the deep litter systems, which in some circumstances need more space. It could be inadequate as a bottom line for deep litter systems.

The space requirements for a deep litter system depend on a number of factors including: Ability to replenish litter and muck out, time in system, exposure to weather, feed (esp. liquid feed), and litter material.

Need to capture the outcomes the system needs to meet. Links to matter 4 above. 'Dry lying space'. Meeting 4. 'Provision of dry lying space' might be enough for deep litter systems.

Supportive of calculation – takes into account the changing and increasing size of pigs for indoor systems.

Not applicable to outdoor systems, which becomes further irrelevant if the space requirements in matters 4 are met.

Needs to somehow account for difference types of slatted areas i.e. slatted v partially slatted systems.

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6. **Pigs - Must not be tethered (excludes temporary restraint for husbandry procedures) - Not important (group 1)/important (group 2), practical and feasible**

Not known practice in industry – archaic. Unnecessary to regulate. No issues for industry.

Clarified that some cases of leg tethering are known from an urban backyard setting.

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7. **Pigs - Dry sow stalls must not be used after 3 December 2015 (existing transition - Important, practical and feasible**

Needs to be clear these are 'mating' stalls and can still be used for one week at mating.

Clarified that the wording as per the code is fine.

This is important from a reputation/public perception perspective.

It was noted that PigCare accredited producers need to declare they will meet the sow stall requirements on 3 December. If they do not declare then their PigCare accreditation will be removed.

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8. **Pigs - Tail docking (under 7 days) - A sharp instrument must be used - Important, practical and feasible**

In outdoor systems tailing occurs after 7 days as getting into the arks with the sows is a health and safety issue. They also believe that releasing the wound up sow back into the pen can be detrimental to the piglets (trampled, plus exposed wounds when very young), so better all- round outcomes by tailing later (see 9. *Docking over 7 days* for further comment).

Use of sharp instrument can cause excess bleeding, should look at allowing ability to use and heat an instrument that isn't sharp.

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9. **Pigs - Tail docking (over 7 days) - Borderline important/unimportant, borderline practical/problematic**

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

It was agreed that some control was needed. It is not appropriate to be allowed to dock any pig at any time.

Some outdoor producers dock at weaning (~4 weeks) to avoid additional handling when piglets and sows are in the arks together. For both health and safety and animal welfare reasons. When done at this age, it is done by farmer with local anaesthetic under veterinary operating instructions.

Challenges to this proposal as worded are:

- Currently done by a non-vet.
  - Currently done for non-therapeutic reasons.
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- 
- Are there realistically enough vets dealing with pig matters to make this practical?

Consistency with other industries/species was raised.

- Is there science to show pigs are different to lambs in this regard?
- Is there science to show pain in pigs is different 3 days to 4 weeks?

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#### 10. **Pigs, horses, llamas and alpacas – Castration - Not important and problematic (group 1)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

New Zealand industry does not surgically castrate – but wary of closing off future demand for ‘non-boar taint’ product where consumers are unfamiliar with / unconvinced by NZ’s practice of immuno-castration.

Restricting surgical castration to vet only and requiring pain relief would not be practical if demand for castrated pork became a reality.

Suggested compromise of pain relief under veterinary operating instructions. Suggested could remain in code and be addressed in the second tranche of regulation development. Support was given in consideration of NZ’s wider animal welfare reputation. Consistency with other species was raised i.e. lamb tail docking (done by farmer) and most prime beef is from castrated animals.

#### **Castration - Important and Practical (group 2)**

Agreed important, but uncommon. Perhaps best left for tranche 2.

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#### 11. **Transport - An animal must be fit for transport - Important, practical and feasible**

Pork industry ‘fit for transport’ guidelines widely used. PigCare requires declaration that farmers follow guidelines. The definition of fit should be supplemented by NZVA and industry material.

Noted discrepancy for transporting injured pets versus farm animals.

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#### 12. **Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress Important but problematic**

Low importance due to lack of problems, facility conditions generally not an issue. Common sense, plus drivers of eating quality (no exports all domestic), it is critical not to stress the pigs prior to slaughter, and public oversight at saleyards.

Noted ‘minimise’ can be quite subjective – how to police it? Common practice that people dealing with pigs know is reasonable and necessary may not be seen that way by people unfamiliar with pigs. Measurable standards need to be applied to assess.

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#### 13. **Transport - Animals must be appropriately prepared for transport including provision of**

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sufficient food and water - **Important but problematic**

Low importance due to lack of problems. Pig farms are close to the slaughter houses, although some pigs are sent Canterbury to Auckland.

Similarly a subjective measurement – which may be problematic when assessing appropriateness, including sufficient food and water.

In practice there is often a disconnect between supplier and processor, where supplier may be left 'in the dark' after pigs transported. Concerns raised that responsibility may still lie with supplier. Adding a timeframe/requirement may clarify responsibilities.

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14. **Transport – Containers must allow the animal to travel in a natural posture - Not important but practical (group 1), Important but problematic (group 2)**

Not an issue for current pig transport. Pigs can stand or lie down. Tend to lie down in a group, some go to sleep.

Wording requires a transport space requirement, which would remove uncertainty in subjective assessment of what is a natural posture - which in itself needs a more prescriptive definition.

How would this be measured?

Should also be focussing on other important factors such as temperature and ventilation during transport.

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15. **All animals - Non-invasive dental work (does not involve extracting teeth, going under the gumline, or interfering with the pulp) and must only be performed using dentistry tools - Not important but practical/feasible**

Teeth clipping is still practiced. Becoming less common but still routine for 20% of farms. Reduction driven by one less job to perform and sows are milking better so piglets fight for milk less and teat damage is reduced.

Usually done within 3 to 4 weeks, code says five days. Clipping is not intended to expose pulp but does on the occasional pig.

Definition of 'dentistry tools' needs to be inclusive. Generally accepted tools are teeth clippers (may include stainless steel side cutters that not designed for dentistry but that are used on the farm for this purpose), or less often a grinder.

De-tusking of boars was also noted as a less frequent dentistry job. Aim to take it off fairly close to the gum line, should be dead tusk but if too close they will feel it. Typically use embryotomy wire, though some use bolt cutters.

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16. **All animals - Tooth extraction and endodontic procedures (involving pulp) Not important but practical/feasible**

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- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.

Not a known practice in the industry. If required then a vet would be appropriate.

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17. **All animals** - Piercing the tongue or tongue phrenum of an animal with a pig ring or similar thing or with any wire - **not important but practical/feasible**

Archaic – unnecessary to regulate – just doesn't happen.

Clarified this is existing prohibition in the Act. If not regulated then will lapse, however since it doesn't happen that may be the appropriate course.

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### **Other issues raised**

**Nose ringing (Not important but practical/feasible)** Nose ringing was discussed – current practice in outdoor systems for environmental reasons (Council erosion reduction requirements). Clarified that this is proposed to stay in the code. Noted MPI reviewed last version of the industry's best practice guidance for this procedure.

**Feeding:** MPI should focus on regulating feeding. In particular what measures to put in place to restrict (mainly lifestylers) feeding of imported pork meat to pigs. Presents immediate disease and welfare issues.

### **Post Workshop Feedback**



fit\_for\_transport\_g  
uidelines\_19\_dec\_20

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# NGOs Wellington - NAWAC / MPI Workshop

## Animal Welfare Regulations

2 September 2015 (9.30 am – 12.00 pm)

Chartered Accountants Australia and New Zealand Conference Centre,  
Level 7, 50 Customhouse Quay,  
Wellington

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**Attendees:** 2 x NZALA, 2 x SAFE, WAP, RNZSPCA, 6 x MPI, Facilitator.

### Actions Arising:

- Participants had a week to send in any comments after the workshop (completed)
- MPI to circulate notes of meeting mid-September 2015
- SAFE to provide further information on SAFE's view of matters for regulation: (completed)
- After comment the notes will be published on the MPI website.

### Welcome

- The facilitator welcomed the participants and thanked them for taking the time to attend the workshop on animal welfare matters for regulation. Apologies were given for the chair of the National Animal Welfare Advisory Committee (NAWAC), who was unable to attend due to illness.
- MPI outlined the role of the workshops in developing regulations. MPI is working with NAWAC, RNZSPAC and NZ Vets Council to develop new animal welfare regulations. NAWAC is an independent body that provides advice to the Minister for Primary Industries.
- The regulation making process will be split into two tranches. This workshop addresses care and conduct matters and surgical and painful procedures in the first tranche of regulations. Many of the matters today have been lifted from existing Codes of Welfare. Some surgical and painful procedure matters include additional pain relief than the original code. Food, water and shelter will be addressed in the second tranche of regulations due to their complex nature.
- MPI's role in the workshop is to listen and take notes, no attributions will be made unless otherwise requested. Participants were also encouraged to provide any further feedback to MPI up to a week after the workshop, to ensure any subsequent thoughts or views were captured. The workshop notes will be provided to participants by mid-late September.

### General comments from the floor

- Question as to purpose of group, are they here just to address why these should be enforceable and if they are? Here to gauge whether these are appropriate for regulation in the first place and what matters we should be looking at, and what issues may arise if we were to regulate.

## Workshop

The participants were asked to address and discuss all 87 animal welfare matters as a group. In particular to decide whether a matter would be practical to implement and how important the matter was to animal welfare. There are no right or wrong answers, and no attributions, unless requested. The group's comments and placement of each matter are captured in the below table. Before any of the matters were discussed, the group agreed that all the matters were important. The group then focussed on whether the matter was practical or not.

## Findings

- 
1. **Electric prodders** - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

### Important and Practical/Feasible

- Noted Rodeo and Commercial slaughter shouldn't have the same exemption. Rodeo should remain restricted to adult cattle as in code – would be 'odd' to exclude for the purposes of entertainment.

- 
2. **Prodding** - Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

### Important and Practical/Feasible

- General agreement

- 
3. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

### Important and Practical/Feasible

- General agreement

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4. **Dogs** - Tethering, including collars, does not cause injury or distress

### Important but Problematic

- Difficult to establish proof especially subjective 'distress'
- Times frames were discussed but thought difficult to prove – injury much clearer
- Noted some groups calling for a ban on tethering dogs

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5. **Dogs** - Prohibit use of pinch and prong collars

### Important and Practical/Feasible

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- Consider banning sale, possession, and use.
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6. **Dogs - Dry, sheltered sleeping quarters, access to ventilation and shade**
- Important but Problematic**
- Only species that gets a mention of shelter, why the inconsistency?
  - Provision of shelter relatively easy to show and demonstrate (compliance)
- 
7. **Dogs - Sufficient exercise - TBC - requires further definition**
- Important but Problematic**
- Very subjective, suggest alternative is to regulate for space instead.
  - Unnecessary duplication of section 54 of the Dog Control Act?
- 
8. **Dogs - Muzzling a dog must not injure or restrict breathing or drinking**
- Important and Practical/Feasible**
- General agreement
- 
9. **Dogs - Must not be left in vehicles where likely to suffer from heat stress**
- Important but Problematic**
- 'Likely' opens it up to interpretation, set a temperature instead?
  - 'Reasonable prospect' same rule that applies to leaving children in car.
- 
10. **Dogs - On vehicles on public roads must be secured so as to prevent them from falling off**
- Important and Practical/Feasible**
- Currently under Land Transport Unsecured Load Regulations
  - Could infringe when seen driving down the road (photographic evidence)
  - Realistically getting public buy in would be difficult and ability to enforce could be limited.
  - Noted exception – working dogs while at work.
- 
11. **Dogs - Freeze branding**
- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- An alternative could be banning outright.
  - There are other id methods available e.g. tracking collars, microchips...
- 
12. **Dogs - Dog debarking (and devoicing of other species)**
- Must be performed by a vet or vet student under supervision.
  - Must only be performed in the interests of the animal.
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
-

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- General agreement.
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13. **Dogs - Cropping the ears (performed on the pinnae of the ears to make them stand up)**
- Prohibit cropping the ears of a dog
- Important and Practical/Feasible**
- General agreement.
- 
14. **Dogs - Front dew claws removal in dogs, articulated back dew claws removal**
- Must be performed by a vet or vet student under supervision.
  - Must only be performed for therapeutic reasons
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General agreement.
- 
15. **Dogs - Back dew claws: non-articulated (greater than or equal to 4 days)**
- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.
- Note: It is not proposed to regulate the removal of non-articulated back claws under 4 days*
- Important and Practical/Feasible**
- General agreement – status quo.
- 
16. **Dogs - Tail docking**
- Must be performed by a vet or vet student under supervision.
  - May only be performed for therapeutic reasons
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- Clarified that this is 'routine' tail-docking and does not affect treating injuries.
- 
17. **Dogs & Cats - Prohibit killing by drowning**
- Important and Practical/Feasible**
- Questioned why not all terrestrial animals? MPI -The first tranche of regulation is primarily already agreed minimum standards, only the cats and dogs codes explicitly prohibit drowning.
- 
18. **Companion animals - Desexing (including stray/feral cats, dogs, and other species)**
- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
19. **Cats - Declawing**
- Must be performed by a vet or vet student under supervision.
  - Must only be performed in the interests of the animal.
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- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.

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20. **Cats - Prohibit breeding of Scottish fold cats**

**Important and Practical/Feasible**

- Noted importance as NAWAC's first line in the sand in regards to breeding animals with inherited welfare issues. Lays the foundation for a wider set of issues.
- NAWAC is developing an opinion piece on breeding which will be open advice.

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21. **Dairy - Restrict blunt force trauma for killing calves – emergencies only**

**Important and Practical/Feasible**

- Noted current defence in codes for emergencies
- If regulated, the relevant section will be revoked from the code. The Act contains further exceptions providing for emergency situations.

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22. **Dairy - Prohibit tail twisting or lifting for the purposes of causing discomfort or pain, or to induce movement of the cattle beast.**

**Important and Practical/Feasible**

- General Agreement.

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23. **Dairy - Prohibit inserting water or air into a cow's vagina to stimulate milk let down**

**Important and Practical/Feasible**

- General Agreement.

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24. **Cattle - Teat occlusion**

- Prohibit occlusion of teats for non-production purposes

**Important and Practical/Feasible**

- General Agreement.

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25. **Cattle - Teat removal or supernumerary teat removal (over 6 weeks)**

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.
  - Questioned how scale would apply e.g. 1 animal (infringement?) versus 200 (prosecution).
  - Offences under the Act are still available for major breaches. In making regulations care has to be taken not to downgrade any offences under the Act.
  - The joint working group has had a focus on what will change behaviour. The non-monetary impacts, such as the impact of being found in breach of animal welfare legislation might have on assurance schemes.
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26. **Cattle - Supernumerary teat removal (up to 6 weeks)**  
- A sharp instrument must be used OR rubber rings must not be used for this procedure.
- Important and Practical/Feasible**
- Noted lack of pain relief. Suggested there should be pain relief for all surgical procedures. May be a consistency issue.
- 
27. **Cattle - Induction**  
- Must be performed by a vet or vet student under supervision.  
- Must only be performed for therapeutic reasons
- Important and Practical/Feasible**
- General Agreement.
- 
28. **Cattle - Claw removal**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
29. **Cattle - Tail shortening (removing the last 2-3 vertebrae)**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
30. **Dairy / Sheep & Beef - Prohibit using a moving vehicle to provide traction in calving or lambing**
- Important and Practical/Feasible**
- General Agreement.
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31. **Dairy / Sheep & Beef - Failure to treat ingrown horns**
- Important and Practical/Feasible**
- General Agreement.
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32. **Sheep and cattle - Castration (over 6 months), surgical castration, shortening of scrotum**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
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33. **Sheep and cattle - Castration, shortening of the scrotum (under 6 months)**  
- Rubber rings must be used OR High tension bands must not be used for this procedure.

**Important and Practical/Feasible**

- Noted lack of pain relief.

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34. **Cattle, sheep, goats - Disbudding**  
- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.

- 
35. **Cattle, sheep, goats - Dehorning**  
- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- Noted non-vet allowable.
- Clarified that is performed for human and animal safety among other reasons.

- 
36. **Sheep - Tail docking (under 6 months)**  
- Must use hot iron or rubber rings.  
- Tail length must cover the female lamb's vulva and equivalent length on males.

**Important and Practical/Feasible**

- Suggested consider banning docking.
- Raised consistency with other species.
- Discussed issues with regulating for 'competent person' i.e. definition of competence. Discussed working with Industry Training Organisations, and having vet oversight.
- Raised delayed implementation i.e. regulation coming into effect five years from now.
- Discussed access to pain relief. Not generally available to farmers, can be food residue issues.

- 
37. **Sheep - Tail docking (over 6 months)**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.

- 
38. **Sheep - Mulesing**  
- Prohibit mulesing

**Important and Practical/Feasible**

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- 
- General Agreement.
- 
39. **Horses - Not tethered longer than 15 hours, access to water, food, and shelter**
- Important but Problematic**
- Difficult to regulate for 15 hours, requires constant observation.
  - Suggested the time requirement could alternatively be prescribed in codes.
- 
40. **Horses - Must receive sufficient exercise, must take action if body condition score >4**
- Important but Problematic**
- General Agreement, however sufficient exercise will need further defined and condition scoring could prove problematic.
- 
41. **Horses - Equipment does not injure**
- Important and Practical/Feasible**
- General Agreement if the drafted in a practical manner.
- 
42. **Horses - Blistering, firing or nicking**  
- Prohibit blistering, firing or nicking of a horse
- Important and Practical/Feasible**
- General Agreement.
- 
43. **Horses - Tail docking**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
44. **Horses - Caslick's procedure**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
45. **Horses - Pregnancy diagnosis of horses**  
- Must be performed by a vet or vet student under supervision.
- Important and Practical/Feasible**
- General Agreement.
- 
46. **Horses - Rectal examination of horses**  
- Must be performed by a vet or vet student under supervision.
- Important and Practical/Feasible**
- General Agreement.
-

- 
47. **Pigs** - Must have separate lying, dunging, and eating areas
- Important but borderline Practical/Problematic**
- Questioned what qualifies as 'separate' eating, lying, and dunging areas.
- 
48. **Pigs** - Grower pigs must have lying space of at least: Area(m<sup>2</sup>) per pig = 0.03 x liveweight 0.67(kg)
- Important and Practical/Feasible**
- General Agreement.
- 
49. **Pigs** - Must not be tethered (excludes temporary restraint for husbandry procedures)
- Important and Practical/Feasible**
- General Agreement.
- 
50. **Pigs** - Dry sow stalls must not be used after 3 December 2015 (existing transition).
- Important and Practical/Feasible**
- Considered needed strong offence provisions.
  - Noted section 183 powers to make transitional regulations in relation to practices such as farrowing crates.
- 
51. **Pigs - Tail docking (under 7 days)**  
- A sharp instrument must be used
- Important and Practical/Feasible**
- Noted lack of pain relief.
- 
52. **Pigs - Tail docking (over 7 days)**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
53. **Pigs, horses, llamas and alpacas - Castration**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.  
- Alpacas must not be castrated prior to eight months of age.  
- Llama and guanaco must not be castrated prior to fifteen months of age.
- Important and Practical/Feasible**
- General Agreement.
- 
54. **Layer hens** - Maximum stocking densities, behavioural enrichments required, and timeframes to transition away from conventional cages.
- Important and Practical/Feasible**
- Noted request before regulations review committee on 2012 code process that determined colony cages provide equivalent welfare as barns and free range.
-

- 
55. **Layer Hens** - Prohibit induced moulting of layer hens
- Important and Practical/Feasible**
- General Agreement.
- 
56. **Roosters - Caponising** (rooster castration)
- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
57. **Birds - Pinioning or otherwise deflighting a bird**
- Must be performed by a vet or vet student under supervision.
  - Must only be performed in the interests of the animal.
  - Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement.
- 
58. **Deer - Develvetting**
- Must be performed by a person accredited by a third party
  - Must use pain relief at the time of the procedure.
  - Procedure must be done according to third party accreditation standards.
- Important and Practical/Feasible**
- General agreement – scheme currently in place with deer industry.
  - Suggestion that practice should be banned.
- 
59. **Goats** - Tethered goats must have constant access to water, food, and shelter. Are inspected at least once every 12 hours. Tethers prevent goats from getting in the path of vehicles.
- Important but Problematic**
- Suggested time element of inspection would be difficult to enforce.
- 
60. **Llama & Alpaca** - Equipment does not cause injury
- Important and Practical/Feasible**
- General Agreement.
- 
61. **Llama & Alpaca** - Camelids must be provided with a companion animal. Cria must be raised in the company of other camelids.
- Important and Practical/Feasible**
- General Agreement.
- 
62. **Ostriches** - Prohibit live plucking of ostriches
- Important and Practical/Feasible**
- General Agreement.
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63. **Ostriches & Emus** - Prohibit riding ostriches and emus
- Important and Practical/Feasible**
- General Agreement.
- 
64. **Ostriches & Emus - Declawing**  
- Prohibit the radical de-clawing of emu chicks
- Important and Practical/Feasible**
- Declawing v trimming should be clarified. Definition required for radical declawing.
- 
65. **Transport** - An animal must be fit for transport
- Important but borderline Practical/Problematic**
- Noted many aspects to fitness for transport.
  - Some are subjective like body condition score.
  - Noted existing section 22 transport offences within the Act
- 
66. **Transport** - Animals must be loaded and unloaded in a way that minimises risk of pain or distress.
- Important but borderline Practical/Problematic**
- Covered by Act already needs to be more specific.
- 
67. **Transport** - Animals must be appropriately prepared for transport including provision of sufficient food and water.
- Important but borderline Practical/Problematic**
- Again definitions need to be tightened
- 
68. **Transport** - Containers must allow the animal to travel in a natural posture.
- Important and Practical/Feasible**
- General Agreement.
- 
69. **Temporary housing** - Require health assessment on admittance
- Important but borderline Practical/Problematic**
- Noted covers pounds, catteries, kennels, pet-shops, etc...
  - Could draft widely to cover full range of situations.
  - Suggested requires suitable trained personnel.
- 
70. **Temporary housing** - Require an isolation facility
- Important and Practical/Feasible**
- General Agreement.
- 
71. **Commercial slaughter** - Eels must be insensible for the duration of desliming or killed prior to desliming.
-

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**Important and Practical/Feasible**

- Questioned why insensible and not dead? Eels continue to exude slime while alive so more thoroughly cleaned (better product quality) if insensible rather than dead.

- 
72. **Commercial slaughter** - Crabs, rock lobsters, and crayfish must be chilled, electrically stunned, or otherwise rendered insensible before being killed.

**Important and Practical/Feasible**

- Suggested should be broadened to anyone – not just commercial slaughter premises.
- Homekill exceptions should be dealt with elsewhere as an issue.

- 
73. **Commercial slaughter** - The lairage must provide adequate shelter and ventilation to protect the welfare of the animals being held for slaughter.

**Important but borderline Practical/Problematic**

- Need tighter definitions - stress, move freely, natural posture (comments apply to 73, 74, 75, and 76)

- 
74. **Commercial slaughter** - Facilities where animals are held for more than 4 hours must allow all animals to move freely, stand up and lie down.

**Important but borderline Practical/Problematic**

- General agreement

- 
75. **Commercial slaughter** - Where animals are washed, the washing facilities must be designed and operated in a manner that causes minimal distress and which does not cause injury.

**Important but borderline Practical/Problematic**

- General agreement

- 
76. **Commercial slaughter** - All animal handling facilities must be operated so that they do not result in injury to animals.

**Important but borderline Practical/Problematic**

- General agreement

- 
77. **Rodeos/Commercial Slaughter** - Goads must not be used to move animals, except: (i) where the safety of the handler is at risk; or (ii) when loading a stunning pen; or (iii) for very stubborn cattle (but not calves).

**Important but borderline Practical/Problematic**

- As currently worded this matter invites manipulation – e.g. ‘for very stubborn
-

- 
- cattle’.
- Noted goad exemptions should not apply as widely to rodeos i.e. should continue to be only adult cattle.
  - Noted SPCA and SAFE campaign to ban rodeos.
  - Thought key aim should be to prohibit use to rile up animals for entertainment.
- 
78. **Rodeos** - Fireworks, pyrotechnics and gas fired explosions of any type must not be used at rodeos.
- Important and Practical/Feasible**
- General Agreement.
- 
79. **Rodeos** - Prohibit riding sheep (including outside of rodeos)
- Important and Practical/Feasible**
- General Agreement.
- 
80. **Circuses** - Prohibit exotic animals in circuses
- Important and Practical/Feasible**
- General Agreement.
- 
81. **All animals - Hot branding**  
- Prohibit hot branding
- Important and Practical/Feasible**
- General Agreement.
- 
82. **All animals (except dogs) - Freeze branding** - TBC - discuss options to minimise pain
- Important but Problematic**
- Noted problems with technical availability of appropriate pain relief.
- 
83. **All animals - Non-invasive dental work** (does not involve extracting teeth, going under the gumline, or interfering with the pulp)  
- Must only be performed using dentistry tools.
- Important and Practical/Feasible**
- General Agreement.
- 
84. **All animals - Tooth extraction and endodontic procedures** (involving pulp)  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.
- Important and Practical/Feasible**
- General Agreement
  - Question of why this doesn’t specify dentistry tools similarly to ‘non-invasive’ work.
- 
85. **All animals - Embryo collection via exteriorised uterus** (surgical embryo transfer)  
- Must be performed by a vet or vet student under supervision.
-

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- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.

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86. **All animals - Liver biopsy**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

**Important and Practical/Feasible**

- General Agreement.

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87. **All animals - Piercing the tongue or tongue phrenum of an animal with a pig ring or similar thing or with any wire**

- Prohibit piercing the tongue or tongue phrenum of an animal with a pig ring or similar thing or with any wire

**Important and Practical/Feasible**

- Noted not done by pig industry, questioned need to regulate. Came from existing prohibition in the Act, which will be repealed when regulations are made.
- 

**Other matters raised**

- **Farrowing crates** was raised as a matter that should be regulated and was considered Important and practical.

**Discussion – infringement/regulation**

- The participants were provided the opportunity to comment on whether specific matters would be more suitable as infringements or offences under the regulations. However the group was uncertain on how to approach this, other than that it was likely matters prohibiting an act would attract a higher level penalty such as a criminal conviction. MPI noted that they understood that a matter could attract one or the other but not both types of penalty. The group therefore suggested this exercise may be better covered through MPI's enforcement policy.
- The issue of implementing infringements was raised. In particular how in practice they would be applied.
  - Would a single infringement notice be issued in cases involving multiple animals/breaches or would they be issued for each individual animal/breach? Is it then adequate to address the scale of offending for say a commercial operation particularly if the option to prosecute isn't available?
  - Recidivism was also felt to warrant a stringer response than first time offending.
  - MPI should focus on a principled approach to this issue, and enforcement methods need to be practical and effective.

**Other comments and concluding remarks**

- SAFE updated the group on the wider advocacy they are undertaking and particular issues on

the forefront of their work including, factory farming, rodeo, animal shelter, meat chickens, greyhound racing, and cetaceans in captivity.

- The facilitator invited comments on what MPI could improve on in the regulatory development process. The response was that this type of pre-consultation is appreciated, though more context for the listing of each matter may have helped. In the future could better communicate with stakeholders the process development and ongoing progress on each matter.
- In closing participants were encouraged to provide further feedback for a week after the workshop. MPI concluded by thanking the group for their time.

### **Post Workshop Feedback**



SAFE's matters to  
consider for MPI reg

**Poultry Wellington - NAWAC / MPI Workshop  
Animal Welfare Regulations  
2 September 2015 (1.30 pm – 4.30 pm)**



**Chartered Accountants Australia and New Zealand Conference  
Centre,  
Level 7, 50 Customhouse Quay,  
Wellington**

**Attendees:** 1 x EPF/PIANZ, 1 x EPF, 2 x PIANZ, 2 x Industry Vet, 1 x NZVA/PIANZ, 3 x RNZSPCA, 3 x farmers, 4 x MPI **Apologies:** NAWAC chair

**Actions:**

- MPI to provide notes from the meeting in late September.
- MPI will look into the reasoning for transition and the issue of enforcement of transitions.
- PIANZ offered to email key points on cage transitions and enforcement to MPI (completed).

**Welcome**

The facilitator welcomed the participants, apologised that the NAWAC chair was unable to attend and introduce the workshop today. The purpose of the workshop is to gather the participants' views on regulating animal welfare, especially in relation to poultry farming, and to tease out the implications of potential regulations.

MPI expanded on the background for the workshop:

- The recent amendments to the Animal Welfare Act 1999 provides for regulation development.
- A joint working group of the National Animal Welfare Advisory Committee
- (NAWAC), the Ministry for Primary Industries (MPI), the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA), and the Veterinary Council of New Zealand (VCNZ) worked through the codes of welfare identifying matters that should be addressed through regulation.
- This workshop is part of a series of workshops to ground truth and test the matters identified. It is important to gain an on the ground perspective, and to gauge industry views as well.
- Regulations are intended to be made by animal rather than by farming system.
- Although a collaborative process has been chosen, NAWAC's role is to provide independent advice to the Minister. NAWAC is independent from MPI and other agencies.
- In this first set of regulation development, the Minister will lead the regulations and the Minister is required to consult separately with NAWAC.

- In future NAWAC's role of developing codes of welfare will include recommending regulations to support that code at the same time.
- Where regulations replace a minimum standard in a code of welfare that minimum standard will be revoked to avoid any discrepancies.
- Regulations are focused on low to medium breaches of the Act, serious breaches will continue to be prosecuted under the existing Act offences.
- Some key issues such as shelter, feed, water, and body condition will be addressed in a second tranche of regulation development. This is due to the complexity of these issues which are affected by species, system, and geographical differences. These will need more time to fully discuss with industry and find agreed solutions.

MPI then reiterated the function of workshop today:

- Here to listen to the views of people on the ground especially around practicality, feasibility and importance of the matters identified.
- The feedback given is important and will have an impact on what matters go forward.

#### General comments from the floor

- Regulations need to be practical to implement, based on important animal welfare issues that have credible data to back them up. Issues that need more scientific research such as lighting and ammonia should not be regulated until the science is clearer.
- Sees regulation as being helpful. It can help with early intervention. However, regulation needs to be clear and should not trip up good performers, only those who are not performing.
- The regulations need to give clarity and certainty to both industry and NGOs. Industry and NGOs should see the same process has been undertaken. NGOs should not think that the industry is dragging its heels because more regulations have not been developed, for example.
- A particular issue that regulations will need to accommodate is the range of sizes of businesses in the industry. For instance, infringements and regulation offences will not be a sufficient deterrent for large enterprises, although impacts on brand will be important. Within the poultry industry, there are many big businesses that are partnerships or sole traders and then smaller farms. Under the Animal Welfare Act, they will face different penalties.
- Contractor supply could be affected by criminal convictions.
- Tranche 1 of the regulations will cover the matters that are enforceable, are supported by science, and are clearly a problem. Tranche 2 of the regulations will cover matters where the science is more complex e.g. lux.
- MPI cannot change the penalties for individuals and body corporates under regulations or under the Act – these have been set in the Animal Welfare Act 1999.

- In terms of the penalty applied for a breach of animal welfare, each case would be assessed at the time. For instance, MPI/SPCA can present previous history to show a continuing pattern of behaviour.
- Prohibitions are covered through regulations.

#### Other poultry

- There are no codes of welfare for game birds, turkeys and ducks. Need to define clearly which poultry are being regulated.

#### Other potential animal welfare issue

- There are a lot of new small players in the free range industry. They have a couple of hundred chickens. They sell at farmers markets. These smaller players have fewer systems in place than corporates and may be more prone to not meeting their animal welfare requirements.

#### Workshop

There were three exercises. First, the group went through the matters, discussed their importance (in terms of animal welfare), and practicality/feasibility (can it be done, is it too costly, unenforceable, etc...). Participants did not need to agree. Notes were taken without attribution unless otherwise agreed. Any key matters missed, any exemptions not previously covered, and any areas where regulations is not considered appropriate were also noted.

The second session looked at potential penalties. Regulations must have a penalty attached and participants' views on appropriate penalties for each of the matters were noted. Lastly, a more in-depth discussion was held on the layer hen cage transition requirements. The discussions are noted in the following table and sections.

#### Workshop findings

1. **Electric prodders** - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises) - **Practical/Feasible and Not Important**
  - Not used in the poultry industry
2. **Prodding** – Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped - **Practical/Feasible and Not Important**
  - Not used in the poultry industry
3. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers.  
Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck.  
Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail.  
Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails.  
Sheep may be handled by their limbs for the purpose of shearing- **Problematic and Not**

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## Important

- Impractical – catch meat chickens and free range layer hens by one leg. No issue with other layer hens.
- The 'not by one leg' standard came out of the layer hens code and is more of a historic issue related to taking layer hens out of the old cages. With less room to move the layer hens had weaker legs and had to be manoeuvred out quite small openings. Newer cages have more room to move and larger openings meaning the risk of injuring a layer hen during destocking is reduced.
- Chickens are not to be picked up or suspended by wings, neck or head for chickens, but turkeys are caught by two legs and a wing.
- Issue for layer hens handling – rogue catching more than 4 hens in each hand. This would suit an infringement. A potential issue is that many people do not want to do the catching job and may have poor english.
- Exceptional circumstances / emergencies – in cases of smothering, you have to move quickly to save their lives. Inspectors need to know these exceptional circumstances. Inspectors do have discretion and can take the situation into account, there are always exceptions for emergencies.
- Enforceability – There could be witnesses, growers – people who are party to the offence.
- Not important? Mistreatment of birds by staff would see staff fired. Possible to avoid the problem through producing signs on how to catch birds in sheds? The issue would have greater importance if in regulations though. But the real issue is the outcome, rather than the method.
- Infringement penalty considered suitable.

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## 4. Layer hens - Maximum stocking densities, behavioural enrichments required, and timeframes to transition away from conventional cages - Practical/feasible and Important

- Support for maximum stocking densities and provision for layer hens and meat chickens exhibit natural behaviours in line with minimum standards.
  - Important – when stocking densities are too high – becomes a health issue for birds.
  - Covered by transitions already.
  - Normal behaviours required for all types of systems. It is possible to have cages and sheds without this behaviour stuff.
  - Some behaviours for free range and barn chickens are in the Recommended Best Practice, rather than minimum standards – missing opportunities?
  - Regulation offence considered to be appropriate, but Act offence also raised as appropriate due to seriousness.
  - Need two types of offences – density offence and behavioural stuff offence.
  - Expressed support for regulations with teeth that would create a level playing field (ensuring that those who complied did not have to compete with non-complaint cowboys)
  - Wanted to avoid creating infringements for matters so minor that industry gets an infringement on every truck. Did not want regulations that would trip up honest players, needs to target intentional non-compliance.
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**5. Layer Hens - Prohibit induced moulting of layer hens - Practical/feasible and Important**

- Practical/feasible – not happening commercially, based on a survey done a few years ago. Only a few free range egg businesses were doing it.
- Offence would be an appropriate penalty

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**6. Roosters - Caponising (rooster castration) - Practical/Feasible and Not Important**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.
- Not important – not a commercial poultry issue (used to be done in the 1950s commercially with slower growing meat birds). It could be an issue in the lifestyle sector – showbreeds (contact poultry clubs) and lifestylers.

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**7. Birds - Pinioning or otherwise deflighting a bird - Practical/Feasible and Not Important**

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.
- Clarification – the proposal only relates to surgical pinioning i.e. permanent deflighting.
- Practical/feasible - alternative is the clipping of feathers, which is a non-surgical procedure and makes the bird too unbalanced to fly. Clipping of feathers is done by the turkey industry.
- Unimportant – not done in commercial poultry operations. Only done in a few zoos.
- Birds do not respond well to anaesthetics.
- Offence penalty considered appropriate.

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**8. Transport - An animal must be fit for transport - Practical/Feasible and Important**

- Transport – important issue. Less transport issues for layer hens and meat chickens compared to red meat sector as they only travel 2 to 2.5 hours.
  - Issue – practicality – sheer quantity of birds transported e.g. 18,000. There will always be a small number that are injured, sick etc, but the number that arrive at the meat works that are unfit for transport is very small in NZ compared to other countries.
  - Issue – Birds are collected by catchers, on behalf of processing plants, and are instructed to leave birds behind if birds can't walk, but it is difficult to identify in dark lighting conditions and when birds are sitting down whether a bird can walk or not.
  - Issue – when did the chickens become unfit – before, during on arrival? Before would have to be very obvious and a lot of birds affected.
  - Growers have no incentive to send injured birds to the meat works as they will be rejected at the works and the growers will receive no payment.
  - Industry has investigated death on arrivals to reduce wastage, but still unsure what the causes are despite investigation.
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- With these sorts of commercial drivers what extra benefit does regulation add?
  - Unsure of correct enforcement penalty. If talking about a large number of deaths, then it would likely be an Act offence – either via ill-treatment offence or transport offences.
- 

#### **9. Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress - Problematic and Important**

- Problematic – Meat chickens - transportation largely out of growers' hands – catching and loading undertaken by contractors. However, growers do unload day old chicks, but they have an incentive to look after them to reduce mortality.
  - Problematic – Layer hens – there are some vertically integrated companies while other businesses obtain layer hens at the point of lay.
  - Problematic – difficult to regulate for minimising pain or distress – cannot remove pain and distress entirely due to picking up birds.
  - Unsure of correct enforcement penalty.
- 

#### **10. Transport - Animals must be appropriately prepared for transport including provision of sufficient food and water - Problematic and Important**

- Problematic – Meat chickens – withhold feed prior to transport, as required prior to processing, but transportation is only local. Water is available to them.
  - Day old chicks and adults are not transported for long periods. Day old chicks often flown eg Auckland to Invercargill.
  - Commercial incentive to look after animals during transport – you need to look after day old chicks so that they grow well and you don't get paid for dead or injured chickens. .
  - Issue raised – had heard some unscrupulous free range layer operations might turn off feeders three days before destocking.
  - Unsure of correct enforcement penalty.
- 

#### **11. Transport - Containers must allow the animal to travel in a natural posture - Problematic and Important**

- Problematic – The natural posture of poultry (adults and chicks) is to sit. If they stand, they get thrown around. In comparison, if cattle sit, they get stood on. Poultry will also huddle – they have a natural tendency to huddle.
  - Problematic – Poultry regulation needs to be specialised to the type of poultry. There are different behaviours and standards for meat chickens and layers. Most catching, loading, transportation handled by contractors (not employed by the growers) the parent companies (e.g. Tegal/Inghams) already set prescriptive requirements for these contractors down to the number of birds that can be lifted changes with weight and age. Would regulations add anything?
  - Is there a need for regulation if there are not many dead or injured birds on arrival?
  - Density would be a practical measure to regulate on.
  - Unsure of correct enforcement penalty.
-

### Transport – general comments

- Industry takes its responsibilities seriously and has developed a fitness for transport poster, similar to the pastoral sector's work. The poultry fit for transport poster has been sent to all layer hen farms.
- NZ – 0.1% to 0.2% of birds arrive at the works dead on arrival. Internationally about 1.5% is acceptable. New Zealand cannot do much better than it is now on dead on arrivals. There is an inbuilt mortality in the process of growing animals. There is an increase in specialised transport for poultry, which is also helping welfare.
- What will regulation add given the incentive to only send fit for transport birds as unfit birds are rejected by the processor and the grower is not paid for them? Growers don't want DOAs and this has an effect on transport companies. The industry self-regulates – overstocking of crates leads to heat stress, injuries, and DOAs.
- There are strict requirements on catchers – how many birds they take, density etc. The catching process is very systematic – know which catcher loaded which box.
- There is a person with responsibility at each stage of the process. A catcher should be penalised for loading bad birds. It would be a big call for a driver to refuse to transport chickens.

### Layer hen Transitions

#### Minimum Standard No. 12 – Behaviour

- (a) **Hens must have the opportunity to express a range of normal behaviours. These include, but are not limited to nesting, perching, scratching, ground pecking, and dustbathing.**
- (b) **Any cage installed prior to 31 December 1999 must be replaced with a housing system that meets the requirements of Minimum Standard 12(a) by 31 December 2018.**
- (c) **Any cage installed prior to 31 December 2001 must be replaced with a housing system that meets the requirements of Minimum Standard 12(a) by 31 December 2020.**
- (d) **All cages must be replaced with a housing system that meets the requirements of Minimum Standard 12(a) by 31 December 2022.**
- (e) **Any housing system installed from 7 December 2012 must meet the requirements of Minimum Standard 12(a).**

### Industry feedback

- Industry does not believe the minimum standards to do with behaviour are enforceable, as currently stated in the code of welfare. There is no definite way to know when a cage was installed – where are the records for cage installations



- (there is no legal requirement to keep records after 7 years) and it is not possible to tell from a business' asset register (for instance, may have owned, but not installed the cages till later).
- 2022 is the only enforceable date – all battery cages must be replaced by colony cages, barn-raised systems or free range systems by then.
  - Industry said that there was no discussion with them on the use to dating cages, rather the discussion was about sizes/bird numbers, so were surprised by the minimum standard.
  - Industry has raised concerns about the minimum standard and was told that the transitional issue would be dealt with during the regulation development.
  - Industry considers that the stocking density of cages is enforceable and would like to see this in regulations. Stocking density can be easily measured – size of cage and number of birds in the cage. Colony cages have a stocking density of 750cm<sup>2</sup> or 13 hens per square metre.
  - The industry does not want to change the 2022 drop date i.e. does not want to lessen animal welfare improvements. It also wants to keep the lead in dates if possible, make any changes fairly, as some farmers have committed heavily to meet these lead in dates. For instance, the 2018 break point could be 650cm<sup>2</sup>, the 2020 break point 750cm<sup>2</sup> and the 2022 date would require 750cm<sup>2</sup> and enrichments. 650cm<sup>2</sup> makes it uneconomic to take out a bird to reduce the density. At this point, there will be an incentive to redevelop – faster than the transition requirements. There is an 18 month lead in time with contracts, so changes will need to be in place by 2016 to meet the 2018 deadline.
  - The industry would be happy to stay with the current minimum standard, if MPI can make it enforceable. The concern is that a small number of operators will not make the transition, tarnishing the industry.
  - When the last change was made to go to 550cm<sup>2</sup> in 2005, no one measured the change, so there are some people in the industry (say 10%) that are still using cages with 500 square centimetres. There is now an expectation amongst some in the industry that they do not have to change for the upcoming transition.
  - Any changes from the minimum standard will be problematic though. The egg industry will be criticised for trying to get out of the minimum standards.
  - There is a need to be clear how stocking density will be measured – point to point etc, how an aviary will be measured and free range systems. Free range systems could be measured by looking at the number of birds on record vs the size of the total housing.
  - Industry does want the regulations to work and cares about the welfare of its birds.

#### MPI

- The new enforcement tools of infringements and regulation offences will make enforcement of the transitions possible, as they cannot currently be enforced in the Code.
- The codes of welfare are recommended by NAWAC and issued by the Minister for Primary Industries. NAWAC can recommend matters for regulation.
- It is clear that we agree on and what we are trying to achieve.

#### Process from here to develop the regulations



MPI briefly covered off the process to develop the regulations. MPI is expecting to undertake public consultation in the first half of 2016, get approval from Cabinet on the regulations in the middle of next year and the regulations should be operational from the end of 2016.

The facilitator concluded by thanking the group for their time and sharing their expertise.

### **Post Workshop Feedback**



Poultry feedback  
post-consult.pdf

**NAWAC / MPI Workshop**  
**Animal Welfare Regulations**  
**4 September 2015 (9.00 pm – 12.00 pm)**  
**Novotel Auckland Airport Hotel, Auckland International Airport,**  
**Ray Emery Drive,**  
**Auckland**

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**Attendees:** 2 x NZVA, 1 x NZCDB, 2 x NZCA, 1 x NZ Cat Fanciers, 1 x ACO, 2 x NZKC, 1 x RNZSPCA, 1 x Pure Bred Dog Breeders, **Hamish Butler-Gallie (part)**.  
NAWAC, 8 x MPI.

**Actions Arising:**

- Participants had a week to send in any comments after the workshop (completed)
- NZVA to share known research on Scottish fold cats with NZ Cat Fanciers/MPI.
- MPI to circulate notes of meeting mid-September 2015

**Welcome:**

- The NAWAC chair welcomed the participants and thanked them for taking the time to attend the workshop on animal welfare matters for regulation. The chair briefly outlined NAWAC as an independent body that provides advice to the Minister for Primary Industries and their role alongside MPI in the regulatory development process.
- MPI outlined the role of the workshops in developing regulations. The regulation making process will be split into two tranches. This workshop addresses care and conduct matters and surgical and painful procedures in the first tranche of regulations. Many of the matters today have been lifted from existing Codes of Welfare. Some surgical and painful procedure matters include additional pain relief than the original code. Food, water and shelter will be addressed in the second tranche of regulations due to their complex nature.
- MPI's role in the workshop is to listen and take notes, no attributions will be made unless otherwise requested. Participants were also encouraged to provide any further feedback to MPI up to a week after the workshop, to ensure any subsequent thoughts or views were captured. The workshop notes will be provided to participants by late September.

## Workshop

- The facilitator explained the agenda and structure for the workshop. Participants were split into two even groups. Each group was asked to address and discuss the companion animal and transport matters as a group. In particular to decide whether a matter would be practical to implement and how important the matter was to animal welfare. There are no right or wrong answers, and no attributions, unless requested.
- Groups came back together to share and discuss placement of each matter. The comments on importance, practicality and feasibility have been collated in the below table. Where there was a divergence in opinion between the groups, this is indicated and the reasons for explained.

## Table

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### 1. Temporary housing - Require health assessment on admittance

#### Problematic and Important

- Problematic – What is temporary housing? Who would do the health assessment? Should be a professional - feasibility hinges on this.
- Problematic – What would the health assessment involve? It is a subjective assessment if not undertaken by a vet. The conditions would have to be overt, physical conditions.
- Problematic - Too costly for either the owner or the facility owner. Every dog day care facility would require a vet or a vet nurse.
- Important – identification of ill or injured animals is important for owners, the owner of facility and owners of other animals, to prevent suffering and to prevent the spread of illness. Is this requirement more than for human care though?
- Important - An owner of a sick animal may have an incentive to take it to a facility for care even though it is sick. In addition, there are some poor operators out there such as kennels that do not seek vet care for injuries to animals during their care.

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### 2. Temporary housing - Require an isolation facility

#### Practical/feasible and Important

- Most welfare centres have this.
- Issue – some pet shops would struggle. They often have a relationship with a quarantine, but they are not always able to access them straight away.
- Clarification necessary – need to define isolation facility, as different animals would require different types of facility. Difficulties could arise where requiring multiple facilities.

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### 3. Handling - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be

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lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails.

Sheep may be handled by their limbs for the purpose of shearing.

**Practical/feasible and Important (group 1)**

- Issue – small terrier breeds– the best way to lift them out of earth holes is by their tail or under their tail and also one way to lift a terrier involves using their tail and neck.
- Issue – what is the consistency of this regulation with rodeos?

**Borderline Problematic and Important (group 2)**

- Issue – important but definitions needs to accommodate various handling circumstances where it may be appropriate, in order for regulation to be feasible.
- Problematic – Practical issues arise in lifting/noosing animals (dogs) in dangerous situations where possibly acceptable.
- Need to acknowledge the distinction between ‘protection’ and ‘mistreatment’

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4. **Companion animals - Desexing (including stray/feral cats, dogs, and other species)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

**Practical/feasible and Important**

- Agreement (noted that horse castration should also have pain relief – big issue in Northland and Bay of Plenty).
- Would like to see post-operative pain relief more clearly defined.

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5. **Cats - Declawing**

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.

**Practical/feasible and Important**

- Important – One group would prefer the regulation to be stronger than the status quo– the procedure should take place only after all other avenues have been exhausted.
- Some support for procedure to be prohibited where for purposes other than therapeutic reasons.
- Clarification needed – what is in the interests of the animal? Could that mean after all other avenues have been exhausted?

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6. **Cats - Prohibit breeding of Scottish fold cats**

**Practical/feasible and Important (group 1)**

- Issue – why only these cats? There are clear issues with other breeds such as bulldogs. Scottish fold cats are an extreme example of breeding animals with severe genetic defects.
  - Important – The cartilage in these cats does not develop properly so they develop arthritic problems from an early age such as 7 weeks of age. They often need to be
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euthanized at one to two years. The breeding of these animals is banned in many countries.

- Issue – also ban importation?
- Practical – There are not many breeders of Scottish fold cats in New Zealand – this is a good time to prohibit the breeding, before the practice has an opportunity to grow. The problem could be removed within one generation of breeding. There is also apparently an alternative – Scottish short hair, which has no genetic problems.

#### **Borderline Problematic and Important (group 2)**

- Agreement that it is an issue.
- Issue: uncertainty around number of cats affected, and differing views between breeders of the impacts that genetic deformity has on cat.
- NZVA strongly support prohibition based on scientific research that has taken place.

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### **7. Dogs & Cats - Prohibit killing by drowning**

#### **Practical/feasible and Important**

- Issue – Why just dogs and cats? The regulations working group has been looking to implement current minimum standards unless there is a strong need to increase the standard.
- Issue – what about live capture traps for rabbits, feral cats and possums? Rules around welfare for wild animals are now possible under the Animal Welfare Act, but this is not the regulations we are developing at the moment.
- Issue – There are other unacceptable methods of euthanasia that are being used and need to be prohibited or educated about: asphyxiation and freezing animals. The SPCA sees as many dogs killed through suffocation as for drowning. Many animals are also killed through freezing such as unwanted puppies, kittens and mice. It is a very painful death. People do not think that it is painful, so there is also an education issue. The codes of welfare for cats and dogs only discusses euthanasia through a vet, but there is a need to discuss other methods such as a rifle and clubbing in a rural situation.

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### **8. Dogs - Tethering, including collars, does not cause injury or distress**

#### **Practical/feasible and Important**

- Agreement
- Should be read in conjunction with exercise requirements.

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### **9. Dogs - Prohibit use of pinch and prong collars**

#### **Problematic and Important – (Group 1)**

- Problematic – not clear enough what these collars are – there are lots of dog training aids available
  - Problematic – will there be unintended consequences – will use of these collars be helpful in training certain dogs, and will this training prevent their euthanasia? But
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then who is qualified to use the collars?

**Practical, Feasible and Important – (Group 2)**

- Issue: Does this include Choker chains? No.
- Issue: There are suitably skilled dog trainers that use these devices as a last resort for training. A regulation could be better suited focussing on the use by experienced trainers rather than a total prohibition.
- Issue: If a prohibition is put in place, it should focus on prohibiting the sale and possession of these collars, otherwise impractical.

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10. **Dogs** - Dry, sheltered sleeping quarters, access to ventilation and shade

**Practical/feasible and Important**

- Agreement
- Will require clarification of what standards are to be met.

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11. **Dogs** - Sufficient exercise - TBC - requires further definition

**Problematic and Important**

- Issue- The real issue is freedom from confinement – tethering and kennels. Horses are not tethered more than 15 hours. Is there an international benchmark for tethering? This avoids problem of defining sufficient exercise.
- Problematic – need surveillance, but SPCA can get camera surveillance.
- Problematic – A difficult definition to cover dog breeds, where ‘sufficient’ will differ. Wording will need to be encompassing.
- Problematic – measuring the exercise is an issue, how and when can this occur?

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12. **Dogs** - Muzzling a dog must not injure or restrict breathing or drinking

**Practical/feasible and Important**

- Agreement
- Issue –exceptions – vet work, medication application – more about length of time.
- Issue – muzzles being used to prevent barking. If can't bark, dogs cannot drink.
- Issue – restriction should include prevention of 'vomiting'.

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13. **Dogs** - Must not be left in vehicles where likely to suffer from heat stress

**Problematic and Important (group 1)**

- Agreement
  - Problematic – what is heat stress? When is an animal likely to suffer from heat stress? Need to define these. Symptoms of heat stress include lying flat. There is no particular temperature that SPCA inspectors use to determine if there is heat stress. Heat stress can occur very quickly, such as over a period of 10 minutes. Will likely lead to over enforcement?
  - Enforceable – huge public awareness and can take animal to vet to prove it was
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suffering from heat stress. There are infrared tools to measure temperature inside a vehicle if a temperature were set in regulation.

- Important – can result in death.
- Extend to cats – does occur in cats, but not nearly so common?

#### **Borderline Problematic and Important (group 2)**

- Important – a widespread issue.
- Problematic – Should be applied to all animals.
- Problematic – ‘where likely to suffer’ enforcing this phrase is highly subjective.
- Should be focussing on ‘adequate ventilation’ where in vehicles, which group saw as just as big of an issue.

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#### **14. Dogs - On vehicles on public roads must be secured so as to prevent them from falling off**

##### **Practical/feasible and Important**

- Agreement
- Important – there can be drag injuries to dogs from being dragged behind vehicles when on long tethers on vehicles – suggest that tethers are required to be short.
- Issue – Could include ‘in vehicles’.
- Issue – Definition of what is secured needs to be specified, some ‘securing’ can be harmful.

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#### **15. Dogs - Freeze branding**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

##### **Practical/feasible and Important**

- Agreement – Freeze branding used for pig hunting dogs only and microchipping of dogs is a legal requirement and an alternative.
- Discussion around whether this could be prohibited altogether where alternatives are available, seen as an unnecessary practice.
- Practicalities (and reality) around whether pig hunters would use vet at all.

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#### **16. Dogs - Dog debarking (and devoicing of other species)**

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.

##### **Practical/feasible and Important**

- The procedure does not stop the dog barking – it only reduces the situation.
  - Important – NZVA would prefer the regulation to be stronger – the procedure should take place only after all other avenues have been exhausted. Some vets would prefer if the procedure were prohibited all together. Similarly, the Kennel Club would
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prefer to take into account the limited circumstances where it would prevent a dog from being euthanized.

- Clarification needed – what is in the interests of the animal? Could that mean after all other avenues have been exhausted?
- Practical/feasible – not a widely used procedure. Only if there is a barking nuisance problem with the dog. There are some alternatives, but there is no easy solution.

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#### 17. Dogs - Cropping the ears (performed on the pinnae of the ears to make them stand up)

- Prohibit cropping the ears of a dog

##### **Practical/feasible and Important**

- Agreement – dogs with cropped ears are prohibited from NZKC shows.
- Clarification – includes imported animals with this procedure done.
- Enforceable – clearly see if dogs ears are cropped; can ask for proof of importation

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#### 18. Dogs - Front dew claws removal in dogs, articulated back dew claws removal

- Must be performed by a vet or vet student under supervision.

- Must only be performed for therapeutic reasons

- Must use pain relief at the time of the procedure.

##### **Problematic and Important**

- Problematic – why are front dew claws different to back dew claws i.e. why can back dew claws be done by persons other than a vet when the dog is less than 4 days? Reasoning is that dew claws are not common on front legs, it is harder to tell if a dew claw has been removed or not, and get some articulated front claws.
- Problematic – different breeds have different dew claws.
- Problematic- Pure Breed Dog Association supports an accreditation standard for dew claw removal.
- Important – front claws sit closer to limbs and are therefore much less susceptible to injury – less reason for them to be removed. But can dogs get eye damage from scratching their face?
- Issue: Uncertainty in what is really therapeutic and in best interests of animal.

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#### 19. Dogs - Back dew claws: non-articulated (greater than or equal to 4 days)

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

*Note: It is not proposed to regulate the removal of non-articulated back claws under 4 days*

##### **Problematic and Important (group 1)**

- Problematic- Pure Breed Dog Association supports an accreditation standard for dew claw removal.

##### **Practical, feasible and important (group 2)**

- Issue – best practice would be to remove 4 day limit.
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## 20. Dogs - Tail docking

- Must be performed by a vet or vet student under supervision.
- May only be performed for therapeutic reasons
- Must use pain relief at the time of the procedure.

### Problematic and Important (group 1)

- Clarification – includes tail banding.
- Important - agreement for this proposal from SPCA and NZVA – considers tail docking and banding unnecessary (no benefit to the dog) and painful. The NZVA has scientific papers to support the prohibition. It is a cosmetic procedure with no evidence to support it preventing injury. The tail is an integral part of the dog – used to express normal behaviour etc.
- Kennel Club – 6,000 members – differing views in the Club. It has only received 1 call in 3 years on health issues to do with docked tails. There are no breed standards requiring tails to be docked. The Kennel Club has a quality assurance programme for tail docking and it works well. The KC would like to see some scientific evidence of the pain caused.
- Problematic – could be unintended consequences - if it is not legally available, will it lead to more rogue operators? Or will it decrease as the norm will become tails – less back garden operators copying pure breeds.
- Problematic – Pure Breed Dog Association does not support the proposal. It does not think there are any studies to show that the procedure is painful. Science is being collected on the benefits to dogs from avoiding injury.

### Problematic and Important (group 2)

- Differing opinions within the group, no consensus reached on outcome.
  - NZ Tail Docking Association was strongly against prohibition, believe freedom of choice should exist for owners. There are no clear benefits that prohibiting docking will create. To supplement retaining the ability to dock, support inserting 'competent person' criteria for procedure e.g. quality assurance programme currently in place.
  - SPCA/NZVA: support prohibition in situations other than for therapeutic reasons as a surgical amputation. No justification on prophylactic injury prevention grounds to remove dog's tail.
  - Varied opinions amongst NZ Kennel Club members makes it difficult to take an overall stance, the majority do not practice tail docking, however a successful quality assurance programme exists for those that do.
  - Issue: Why has this been included in the regulations? MPI clarified that this has not been included in response to lobbying, rather to gauge feedback on whether this is now seen as a necessary procedure to continue with, and in what situations it still should be.
  - Issue: prohibition may cause enforcement difficulties (such as in Australia) due to black market procedures. Though this could be circumvented by requiring a vet record of practice for all procedures.
  - Clarification is required in the wording, the language lifted from the code should be removed.
  - Further information on docking was invited from participants post-workshop.
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## 21. Birds - Pinioning or otherwise [permanent] deflighting a bird

- Must be performed by a vet or vet student under supervision.
- Must only be performed in the interests of the animal.
- Must use pain relief at the time of the procedure.

### Problematic and Important

- Clarification – does not include wing clipping. Wings grow back.
- Important – SPCA and NZVA do not think there is any reason for permanent deflighting, pinioning. There is always the alternative of reversible deflighting through wing clipping. For instance, rescue operators could clip wings while the animal recovers. An animal should not be permanently deflighted just because a zoo or a commercial operator has a small aviary.
- Problematic – permanent deflighting does mean the bird avoids being temporarily deflighted once a year i.e. less distressful handling.

### Practical, feasible and important (Group 2)

- Issue: requires clarification of what is in interests of animal i.e. zoo situations, biodiversity reasons.
- Problematic: Negative welfare outcomes will be present with this procedure, it is a matter of the overall welfare benefits outweighing the negative.
- Should be further research on the scale of this procedure. How many birds, how often is it used?

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## 22. All animals - Non-invasive dental work (does not involve extracting teeth, going under the gumline, or interfering with the pulp)

- Must only be performed using dentistry tools.

### Problematic and Important

- Current situation - vets do cat and dog dental work – both non-invasive and invasive. Tooth extraction can be invasive or non-invasive (if the tooth is loose). Dogs need scaling and polishing every one to two years. It is done under sedation.
- Issue: interpretation of what is a 'dentistry tool'? This will vary from breed to breed on what is appropriate. Clarification of tools required, thought needs to be given to inclusive v exclusive definition.
- Issue: What tool is best used from a welfare outcome? Some non-dentistry tools could be beneficial i.e. rabbits.
- Issue: Require a more prescriptive approach to the experience or competency of person undertaking procedure.

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## 23. All animals - Tooth extraction and endodontic procedures (involving pulp)

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

### Problematic and Important (Group 1)

- Agreement
  - Current situation - vets do cat and dog teeth work. Most work is for tooth disease.
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- Problematic – currently some teeth work is not done for therapeutic reasons i.e. it is done for cosmetic reasons such as breeders wanting crooked teeth removed. However, the Pure Breed Dog Association is not in favour of cosmetic dental procedures.
  - Problematic - sometimes the procedure is painful, but otherwise not.

#### **Practical, Feasible and Important (Group 2)**

- Agreement
  - Issue – add in therapeutic reasons, note distinction between ‘in best interests of animal’ (zoo situations) as it inserts a higher standard.
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### **Additional matters raised**

#### **1. Dog code, MS 9 or Recommended Best Practice:**

Puppies should be at least eight weeks of age before being made available for sale or rehoming. Puppies must be able to feed independently and be in good health when made available for sale or rehoming.

#### **Minimum Standard No. 9 – Supply of Puppies**

- (a) Puppies must be able to feed independently and be in good health when made available for sale or rehoming, unless:
  - i) they have been orphaned and must be rehomed to ensure that they are able to obtain milk from another bitch or be hand raised; or
  - ii) early removal from the bitch is deemed necessary by a veterinarian.
- (b) People supplying puppies must, at the time of supply, disclose to persons receiving them, any known inherited disorders that the puppy or adult dog may be predisposed to which may cause health and/or welfare problems during the dog's lifetime.

#### ***Recommended Best Practice***

- (a) Puppies should be at least eight weeks of age and should have begun socialisation with other dogs and humans when made available for sale or rehoming.

#### **Problematic and Important**

- Important - Suggested by SPCA. A common issue where they are dealing with puppies being sold too early.

- Problematic – the issue is the health of the puppies when taking them from their mothers rather than their age per se. Proposals that are not currently minimum standards will generally have to wait to tranche 2 of the regulations.

## 2. Dog code, Sanitation MS 6:

### Minimum Standard No. 6 – Sanitation

- (a) Faeces and urine must not be permitted to accumulate to such an extent that they pose a threat to the health or welfare of the dog.
- (b) Food and water containers must be kept clean of contamination that may pose a threat to the health or welfare of the dog.

#### Practical/feasible and Important

- Important – Sanitation is a large problem identified by the SPCA. It is also an important health issue for dogs – it can lead to fly bitten ears, for example. The Kennel Club is also interested in the issue of sanitation.
- Clarification – the problem is the large accumulation of faeces, not 1 or 2 days' worth.
- It fits in with the tethering and exercise issues.

## 3. Regulation of Pig hunting

- Important – there are notable issues around dog and pig welfare during hunting. e.g. stress/injury on animal inflicted by holding dogs, and risk to dogs themselves where vets see a number of cases of 'gored' dogs.
- Issue – Require clear standards of acceptable practice to change and mould hunter behaviour.

## 4. Breeding Facilities

- Important – require clarity on how this area is to be covered by regulation.

## Concluding Remarks

- **Enforcement comments from group:** Principles should guide enforcement approach. MPI need to acknowledge that below the overarching policy within each area, there are many breeds of animal that have different needs and behaviours that are to be taken into account (e.g. dog breeds), therefore prescriptive and specified regulation is important. Further there are subgroups of people who will often require a different approach, e.g. lifestyles, farmers, urban pet owners. Overall the enforcement focus needs to be on addressing behaviour before it becomes an issue as well as accounting for recidivism in penalties that are applied.
- **Workshop Session:** The facilitator summarised the workshop findings and invited any final comments. The participants were complimentary of the

morning workshop and how it ran. Though it could have ran for a longer duration to cover each matter in more detail and the room size was slightly problematic for effective breakout sessions.

- MPI thanked the group for their time and invited further feedback over the following week if participants had ideas they hadn't raised during the workshop.

### **Post Workshop Feedback**



Feedback post  
workshop - letter fr



Feedback post  
workshop - NZKC 16



NZVA CAS



Feedback post  
workshop - Advocat



Feedback post  
workshop - Advocat

# Stock and Station Agents and Road Transport

## NAWAC / MPI Meeting 16 September - Animal Welfare Regulations

**Attendees:** 1 x NZ Stock & Station Agents Association, 1 x Road Transport Forum, NAWAC Chair, 3 x MPI.

### Actions

- MPI to circulate meeting notes late September.

### Welcome

- The chair of NAWAC thanked participants for their time and introduced to purpose of the meeting. The recent amendments to the Animal Welfare Act 1999 provided for development of animal welfare regulations to sit between the codes of welfare and the Act.
- The initial matter to be discussed today are early runs on the board. This meeting is part of an informal process to gather views from affected parties before the formal consultation process.
- A joint working group including NAWAC, MPI, the Veterinary Council of New Zealand, and the Royal New Zealand Society for the Prevention of Cruelty to Animals has been through the codes of welfare and around 2000 odd minimum standards to identify the fewer than 100 odd matters that may be appropriate for regulation.
- More complex matters are intended to be addressed in a later tranche of regulation development.
- The matters today are not worded as regulations, but indicate the area intended to be addressed by regulation. It has been an interesting process taking a minimum standard worded around outcomes and translating them into more concrete and input focused matters.
- MPI expanded on the aim of today's meeting:
  - The key aim of the pre-consultation is to ground-truth the matter and feed this back into the working group to develop formal regulation proposals.
  - A consultation document for Cabinet's approval will be drafted between now and Christmas.
  - Full public consultation as per any set of regulations will happen mid next year.
  - When the working group was identifying matters they considered where clarity needed to be improved, where prohibitions needed to be lifted into regulations, and where problem areas could be addressed through regulations (examples given included back rub, and cattle tail docking).
  - Through this process 87 matters were identified, with the 53 in the matters for discussion today (Pastoral matters, Transport, and Commercial Slaughter).
  - The surgical and painful procedures matters are a little different and include updated standards as the painful husbandry code of welfare is ten years old and good practice, available technology, and attitudes have changed.

## General comments

- Regulation is okay as long as it is common sense.
- Sometimes we're too quick to duck for the cover of regulations when overseas market access are poking around.
- Don't like to see animal welfare used as an excuse to exclude exports.
- Sought assurance that views would be heard and input will have an effect. That the matters are not being presented as a fait accompli. NAWAC gave an assurance that the purpose of the meeting was to seek feedback before any proposals were developed. MPI noted:
  - Pre-consultation is a chance to influence before the formal regulation proposals are drawn up.
  - The working group has gone through the process of identifying matters as best they can but are sincerely seeking input from people on the ground around the practicality of these matters, unintended consequences, and any key matters missed.
- Participants raised the looming issue poor condition stock in Southland due to poor growing conditions to date, low pay out, and forecast worse growing conditions to come.
  - MPI noted the issue, and that these matters (food, water, shelter, body condition) can be complex. Working with the farmer is often the best approach but extreme cases could be addressed under the Act. It is intended to investigate the role that regulation could play in addressing these issues in a second tranche of regulation development. This will allow more time for solutions to these complex issues to be discussed with stakeholders. The current set of matters for discussion today were identified as more straight forward issues and are focused on low to medium breaches.

The matters were then worked through one by one with comments recorded in the table of matters below.

## Table of matters

1. **Commercial slaughter** - Eels must be insensible for the duration of desliming or killed prior to desliming.  
Okay.
2. **Commercial slaughter** - Crabs, rock lobsters, and crayfish must be chilled, electrically stunned, or otherwise rendered insensible before being killed.  
Okay.
3. **Commercial slaughter** - The lairage must provide adequate shelter and ventilation to protect the welfare of the animals being held for slaughter.  
Truckies can turn up at the works or saleyards and then find they are used as holding pens for up to eight hours. Applies to 3 & 4.
4. **Commercial slaughter** - Facilities where animals are held for more than 4 hours must allow all animals to move freely, stand up and lie down.

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Anyone making regulations in this space ought to be familiar with saleyards and how the work.

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5. **Commercial slaughter** - Where animals are washed, the washing facilities must be designed and operated in a manner that causes minimal distress and which does not cause injury.

All commercial stock crates are built to NZS5413 and assurance programmes ensure they continue to meet that standard.

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6. **Commercial slaughter** - All animal handling facilities must be operated so that they do not result in injury to animals.

Same as 4 and 5.

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48. **Electric prodders** - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).
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Animals can be 800kg, even a 300kg calf can give a good kick. Old dairy cows can be the worst, as they are used to being around people. Electric prodders are required for health and safety. Never seen them used on sheep or horses.

Wouldn't routinely use a prodder around the saleyards - only used at loading and unloading, if there are difficult animals. You don't want to use them unless you have to as it doesn't make the cattle beast easier to handle.

Couldn't see any reason to make a distinction between a big pig and a big cattle beast.

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49. **Prodding** - Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.
- 

Common sense. Don't see those sorts of things happening. It is not a major issue. But if you've got 20 cattle backed into a corner you've got to tap on the nose with a stick it's the only way to get them out. Design of yards can make this more common, but cattle will find a corner in a circular pen if they want to.

Questioned if MPI take these responses as 'these issues don't happen' does that mean MPI are looking at this as easy to regulate? MPI response. Not necessarily, need evidence of a problem to be addressed before introducing regulation. Need to provide argument about how it will help.

Because I handle cattle in their various forms almost on a daily basis, one tends to forget that not everyone is so familiar with the huge range of attitudes that cattle present. The major percentage of cattle movements, including loading, go very smoothly. Often times a pat with the hand, a wave of a plastic bag on a stick or some other quiet persuasion is enough to move them in the desired direction.

However, there are times when they will not move, want to move in the wrong direction, jump over the rails or even more exciting do their best to obliterate the person moving them. It is on these occasions that prodders came into their own and can quickly turn a potentially dangerous situation for man and beast into a safe and happy outcome.

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If silly regulation is introduced then it means instead of getting alongside farmers, you'll be getting them offside. Farmers are up to their neck in regulations and it is difficult to get up in the morning and farm with confidence without upsetting anybody.

Very rarely seen people being cruel to animals. Given the number of livestock movements on any one day we've got a pretty good record overall.

- 
50. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

A 120kg Romney ram in the pen and you need to get him out for shearing, then you've got to grab its wool. Even turning lambs in a race.

In response to 'Is there a line that you think shouldn't be crossed?' – You can throw a cattle beast simply and safely using a rope and they fall over. You don't want to drop animals but if you're picking up lambs in a storm it will happen.

I've seen the odd truckie throwing a sheep down the ramp, but very seldom. You might need to catch a big rooster by his wings.

It be a big challenge. The farming community is self-policing. If they see bad behaviour they're pretty hard on it.

- 
51. **Cattle - Supernumerary teat removal (up to 6 weeks)** - A sharp instrument must be used OR rubber rings must not be used for this procedure.

Okay.

- 
52. **Cattle - Teat removal or supernumerary teat removal (over 6 weeks)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

Okay.

- 
53. **Cattle - Teat occlusion** - Prohibit occlusion of teats for non-production purposes

Okay.

- 
54. **Cattle - Induction**

- Must be performed by a vet or vet student under supervision.
- Must only be performed for therapeutic reasons.

Okay.

- 
55. **Cattle - Claw removal**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

Okay.

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56. **Cattle - Tail shortening (removing the last 2-3 vertebrae)**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons.  
- Must use pain relief at the time of the procedure.  
Doesn't require a vet for shortening, just slipping a rubber ring on the end of the tail.
- 
57. **Dairy - Restrict blunt force trauma for killing calves – emergencies only**  
You've got to consider the alternatives. Bolt a pithing less attractive than blunt force trauma.
- 
58. **Dairy - Prohibit tail twisting or lifting for the purposes of causing discomfort or pain, or to induce movement of the cattle beast.**  
Common sense needs to be applied. A cow's tail is fairly insensitive.  
Education on farm is the key to addressing broken tails. A lot of new farmers these days didn't grow up on the farm, some problems may occur where English isn't the first language. Pamphlets and information published in 'farming' magazines is useless.  
Needs to be in regular local papers.
- 
59. **Dairy - Prohibit inserting water or air into a cow's vagina to stimulate milk let down.**  
Archaic – not used.
- 
60. **Dairy/Sheep&Beef - Prohibit using a moving vehicle to provide traction in calving or lambing.**  
Need to consider the alternatives. Up the hill two hours from the house, do you let the cow die or extract the calf with a little traction?  
Have seen people lamb like that but a long time ago. Modern lambing is so different, from 3000 ewes you might pull ten a year?
- 
61. **Dairy/Sheep&Beef - Failure to treat ingrown horns.**  
Is an issue. They turn up at sale yards and can't sell. Need to get the vet to treat, you can't put it on a truck, it has to go in the paddock.
- 
62. **Sheep and cattle - Castration, shortening of the scrotum (under 6 months)**  
- Rubber rings must be used OR High tension bands must not be used for this procedure.  
There is a high-tension band on the market for cattle under six months. Knives for sheep is standard practice. Rubber rings more prone to failure. Requires an attitude change.
- 
63. **Sheep and cattle - Castration (over 6 months), surgical castration, shortening of scrotum**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.  
Not sure it would stop some people doing it over six months. Not a lot of issues with over six months though.
- 
64. **Cattle, sheep, goats – Disbudding** - Must use pain relief at the time of the procedure.  
Disbudding is done when cattle are young enough so that pain relief is not required.
- 
65. **Cattle, sheep, goats - Dehorning** - Must use pain relief at the time of the procedure.  
Definition is important, you say disbudding, someone else says dehorning. What could
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happen is people don't treat their ingrown horns as getting pain-relief too difficult or expensive, particularly in sheep.

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66. **Sheep - Tail docking (under 6 months)**

- Must use hot iron or rubber rings.
  - Tail must be long enough to cover the vulva in females or equivalent length in males.
- Tail length fine. Lots of people in Otago just use a good sharp knife.
- 

67. **Sheep - Tail docking (over 6 months)**

- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.
- Okay.
- 

68. **Sheep - Mulesing - Prohibit mulesing**

Industry already prohibits it.

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69. **Rodeos - Prohibit riding sheep (including outside of rodeos)**

Don't see the point, kids have been learning to ride on sheep for years and it doesn't hurt the sheep. Teenagers maybe a different matter but not aware of any major issue.

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70. **Goats - Tethered goats must have constant access to water, food, and shelter. Are inspected at least once every 12 hours. Tether excludes goat from the path of vehicles.**

How would you police it? Not a big deal. You don't see goats in distress.

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71. **Dogs - Tethering, including collars, does not cause injury or distress**

A good heading dog is worth \$2000-\$4000, so you won't see a farmer causing them injury. There's the odd electric collar used but not many. People policing them need good guidelines so you don't get an over officious inspector, or people making spiteful complaints.

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72. **Dogs - Prohibit use of pinch and prong collars**

MPI noted that a lot of the dog matter are aimed at urban dogs.  
Okay.

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73. **Dogs - Dry, sheltered sleeping quarters, access to ventilation and shade**

Okay. Farmers provide good shelter for their working dogs.

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74. **Dogs - Sufficient exercise - TBC - requires further definition**

Okay.

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75. **Dogs - Muzzling a dog must not injure or restrict breathing or drinking**

Okay.

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76. **Dogs - Must not be left in vehicles where likely to suffer from heat stress**

Not an issue.

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77. **Dogs - On vehicles on public roads must be secured so as to prevent them from falling off.**

How do you define vehicles does it include ute, motorbike, tractor? Going down the highway at 100k an issue. But working dogs at work not.

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- 
78. **Dogs & Cats - Prohibit killing by drowning**  
How to police? An awful lot of cats end up in the river. Vet costs are expensive to put down a litter of puppies.
- 
79. **Dogs - Freeze branding**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.  
Not a farming issue.
- 
80. **Dogs - Dog debarking (and devoicing of other species)**  
- Must be performed by a vet or vet student under supervision.  
- Must only be performed in the interests of the animal.  
- Must use pain relief at the time of the procedure.  
Okay.
- 
81. **Dogs - Cropping the ears (performed on the pinnae of the ears to make them stand up)**  
- Prohibit cropping the ears of a dog  
Leave it in the Act.
- 
82. **Dogs - Front dew claws removal in dogs, articulated back claws removal**  
- Must be performed by a vet or vet student under supervision.  
- Must only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.  
Okay.
- 
83. **Dogs - Back dew claws: non-articulated (greater than or equal to 4 days)**  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.  
*Note: It is not proposed to regulate the removal of non-articulated back claws under 4 days*  
Okay.
- 
84. **Dogs - Tail docking**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.  
Okay. Only reason is if a dog has ringtail.
- 
85. **Transport - An animal must be fit for transport.**  
Noted difficulties that can arise from different interpretations. Lost a client after separating 30 odd very thin sheep and refusing to sell them. Had another agent come along and sell them out of the stock pen for \$40 each. Client felt he had tried to do him out of the sheep's value.

Matter of definition. It is getting to the stage where it is almost going to need a veterinary certificate before loading animals. Even a vet certificate is difficult - they're still making educated guesses. Had one certify an animal and an hour down the road it was dead.

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There is a need for a facility to send injured and diseased animals to. One in the North Island and one in the South that are separate from processing plants.

It is okay to knock a cow on the head if it is \$350, but when it is \$1100 and your milk process is \$3.85 then the decision is more difficult.

On farm disposal can be difficult as well, as you can no longer bury them. A case of a lead poisoned cattle took months to resolve, which was not good for the cattle or the farmer.

'Intent is to tackle problem of sending marginal animals 800km'. Clients know where they are going when you load them. They ought to be ensuring they are fit. It is not in the transporters interest to have a load of animals unfit at the end of the journey.

Lame sheep will sit down if bad. If can't transport them then the cure, and it has been for ages, is to destroy them.

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**86. Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress.**

This sort of statement is an insult to the industry. If someone is doing that sort of thing they'll be dealt with. You don't keep a business going if you're injuring cattle with your crate.

A truckie might have eleven hours driving time, if you spend 45 minutes unloading a difficult animal, everything gets behind and you get it in the neck. Sometimes you've got to unload that animal in an expedient way. I don't think you could make a sensible regulation for that.

Specific things that happen like a floor collapse, or a gate coming undone happen. You can't regulate it out of existence.

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**87. Transport - Animals must be appropriately prepared for transport including provision of sufficient food and water.**

Some clients are good at preparing animals, some are not. A good agent would tell them where they are going and farmers ought to be preparing their animals. They usually know months in advance which animals they are going to cull.

On training – standards and exams aren't current. NZS&SAA and MPI Safeguarding staff are working on how best to tackle agent upskilling.

If agents don't manage their advice to clients they don't keep clients. Different agencies such as Wrightsons or Elders have internal training for their agents.

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**88. Transport - Containers must allow the animal to travel in a natural posture.**

Transporters are caught between conflicting sets of legislation. Land Transport NZ, Health and Safety, and Animal Welfare legislation. Crates can only get so high, animals

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are getting bigger, MBIE don't want you up on top of the crate because it is over 3m. The reality is you have to get up and check on the stock, so at some point in the day you could be breaking law. Not because you want to but because they all conflict.

If you regulate against back rub, well the crate can't get any bigger, so the efficiency of carting animals will drop and the consumer will feel it in the pocket.

Everyone goes on about back rub in cattle but in my experience deer get it worse and no one blinks an eye.

Stock crates are manufactured to the specifications of NZS5413. It hasn't had a proper update since 1999. Unreasonable to ping someone for complying with a NZ standard.

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89. **All animals - Hot branding - Prohibit hot branding**

Okay.

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90. **All animals (except dogs) - Freeze branding - TBC - discuss options to minimise pain**

Okay.

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91. **All animals - Non-invasive dental work** (does not involve extracting teeth, going under the gumline, or interfering with the pulp)

- Must only be performed using dentistry tools.

Archaic practice in Southland of pulling sheep front two teeth so that when on swedes eat only the tops not the bulb. Not practiced anymore.

Cows would be treated by vet.

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92. **All animals - Tooth extraction and endodontic procedures (involving pulp)**

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

Okay.

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93. **All animals - Embryo collection via exteriorised uterus** (surgical embryo transfer)

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

Okay.

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94. **All animals - Liver biopsy**

- Must be performed by a vet or vet student under supervision.

- Must use pain relief at the time of the procedure.

Okay.

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## Concluding notes

Participants stated they were alright with regulation but it needs to be minimal and common sense.

Education is important. Believes money would be better spent on farmer education than on regulation. Inspector discretion and understanding is also important. A cow might

walk in fine but then it goes down in the pen. We do what we can, but you can't get a tractor in to remove her in the middle of a sale. Then we get MPI around because we had downer cows in the sale pens.

Major problems are dairy cows. Annoyed with farm advisors who are so focused on achieving that last dollar than they are animal welfare side of things. In the quest for the last dollar and efficiency they removing all the buffers out of the system.

## **Post Meeting Feedback**



Stock and Station  
Agents feedback.pdf

## **Animal Welfare Matters: MIA Technical meeting**

**16 September 2015, Federated Famers Board Room**

Agenda item: Animal Welfare Regulations

The NAWAC chair introduced the work being undertaken to develop regulations:

- Regulations now add an additional tool to address low to medium animal welfare breaches in the care of, and conduct towards, animals. Regulations will also clarify and update requirements around surgical and painful procedures.
- Codes of welfare and the offences under the Act continue to have a key role to play, both for guidance on acceptable practice and for setting out recommended best practices. Regulations will clarify rules and encourage better behaviour but difficult to regulate for every occasion.
- A series of workshops have been held to ground truth and test the matters identified. It is important to gain an on the ground perspective and understand industry views.
- Have worked through each of the codes of welfare and have identified matters to progress in a two stage process. Current matters distilled from about 2,000 matters.
- The first tranche matters are relatively well understood and suited progressing straight away. These matters are set out in the document sent to you earlier.
- Other key issues such as shelter, feed, water, and body condition will be addressed in a second tranche of regulation development. This is due to the complexity of these issues that are dependent on species, system, and geographical differences. These will need more time to fully discuss with industry and find agreed solutions.
- Timelines are consultation in first half of 2016, with a formal submission process. Regulations to be in place by the end of 2016. The second tranche of matters will require more consultation and that process will start in 2017.
- Key matters for this meeting are commercial slaughter, transport and handling. If people would like to provide comments, then one participant will collate and send to MPI a week from the meeting.

#### Comments from the floor:

- Definition are adequate shelter will be important in lairage
- 'Fit for Transport' is open to interpretation
- Transport (natural posture)
- noted that too much space can also be dangerous
- targeted at backrub
- vets have been working at ensuring consistency is applied across the country
- ventilation – why lairage and not farms?
- would this cover adverse conditions?
- Need to ensure transport matters are applied consistently across the supply chain
- Painful procedures should be done by the people trained to do them – common sense
- Tail docking is not undertaken in the plants' yards
- Electric prodders – exemption for works - used for health and safety – sensible
- Interaction between health and safety, environmental and biosecurity concerns acknowledged
- Need to include abattoir association and homekill people
- Definition of washing and use of calf sprayers has been the subject of a number of free and frank discussion over the years between MIA and MPI.



## **Post Meeting Feedback**



MIA Feedback.pdf

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## **Animal Welfare Matters: Equine Industry**

### **Equine Industry Meeting**

3.30pm, 22 September

Pastoral House, Ministry for Primary Industries.

#### **Attendees:**

3 x NZEHA, 1 x NZEVA, 2 x Thoroughbred Racing, NAWAC chair, 3 x MPI

#### **Actions Arising:**

- Attendees to provide further feedback to MPI a week following the meeting
- **Caslick's procedure:** attendees to provide information on vet – lay person ability to undertake the procedure and scale at which it is being undertaken.
- **Pregnancy diagnosis:** attendees to provide evidence on scale of lay persons undertaking the procedure, and effects of mishandling in this situation.
- **Equine Dentistry:** attendees to send MPI information detailing
  - Types of dentistry tools used.
  - Types of teeth commonly operated on.
  - Impacts of procedures
  - Australian research
- **Hot/Freeze Branding:** attendees to provide information on scale of procedure, and pain relief commonly used.
- MPI to distribute notes back to attendees in early October.

### Introductory Comments

The NAWAC chair thanked the attendees for allowing time in their schedule to discuss animal welfare matters. An overview of the regulation making process was provided and how they would interact with current codes.

MPI has a clear role in developing the animal welfare regulations as part of the wider work in the Animal Welfare Strategy and implementation of the Amendment Act. In this case an unusual step has been included providing for NAWAC to give direct advice to the Minister about what should be regulated. It is the Minister's choice to then take that advice or not.

This meeting is part of a continuing process from the animal welfare strategy, through the amendment act, to developing regulations. This meeting is part of a wider regulation development process. At this stage nothing is fixed, MPI are looking into:

- The existing codes and identify what matters may be suitable to regulate. These will focus on matters that are practical, feasible and important. More contentious matters may left for a second tranche of regulations
- The point of this pre-consultation is to test these initial ideas before moving forward with care/conduct and surgical procedure regulation development.

Noted many of the matters have been lifted from the codes, while others such as surgical and painful procedures propose to lift the status quo in an area. MPI are seeking specific feedback on whether or not these are seen as important, feasible and practical to regulate.

### Matters for Regulation

The group ran through each of the relevant matters. The notes reflect where the discussion placed each issue in terms of importance and practicality, and identify the key points or issues raised within each. Some matters have been collated, where discussion ranged across multiple areas.

\*Due to time constraints the group was unable to cover matters 13 -19 on Transport/Rodeo, and matters 24-26.

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1. **Electric prodders** - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

**Important, Practical and Feasible**

Agreement, and only issue with why there is a justified exemption for commercial premises use on horses? Also need to account for possibility of creating another issue where by prohibiting use, it may encourage use of alternate means that have negative welfare impacts on the animal.

- 
2. **Prodding** - Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

**Important, Practical and Feasible**

- Little excuse to use on horse in this issue
- Though practicalities (enforcing after the fact at events/shows), double jeopardy could become an issue where already covered by the industry. Existing judicial processes
- Horse situation could be problematic from a reporting perspective depending on the who, what, where, when questions. Though inspector will assess the decision based on the evidence at hand.
- Is there a possibility for the industry to police in role i.e. approved organisation.

- 
3. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

**Important but Problematic**

Situationally difficult to apply in some instances, e.g. horse stuck in creek. Was noted that the Animal Welfare Act provides for emergency situations.

*Dropping, Pulling, Dragging*

Uncertainty on how this runs consistent with Rodeo practices? Particularly the definitional issue around 'drop' for instance. Horse trainers it isn't uncommon handling to 'drop' horse when breaking in new horses. A horse under anaesthetic is often lifted by limbs under vet supervision.

Issue is the tension between intent and the wording. Suggested that MPI could add wording for situations where this type of action would be wrong. Something more quantifiable is desirable, it needs to focus on a causative outcome such as 'likely causing'.

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Overall problematic to apply across multiple species.

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4. **Horses - Not tethered longer than 15 hours, access to water, food, and shelter**

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**Important Practical and Feasible**

- An appropriate timeframe for tethering could often depend on environmental factors.
- Noted this is likely targeted at road side tethering situations.
- Group was comfortable with targeting this behaviour at an infringement level.

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5. **Horses - Must receive sufficient exercise, must take action if body condition score >4**

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**Important but Problematic**

Similar definitional issues arise, particularly when comparing different breed requirements.

Should note that weight is tied to diet rather than just exercise (Fat Ponies), possibly problematic from an assessment point. MPI will need to further define to ensure intent matches outcome. *It was clarified the specific wording of the matter would be addressed at the drafting stage to ensure the policy intent aligns.*

*Laminitis situation:* How to address sufficient exercise where treatment would limit movement? Clarified this any issues with treatment would be better addressed elsewhere in the Act/Regulations.

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6. **Horses - Equipment does not injure**

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**Important, Practical and Feasible**

Electric Collars: A rare issue, but was raised as a training practice that has occurred in isolated incidents, such as on animals used at film sets.

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7. **Horses - Blistering, firing or nicking**  
- Prohibit blistering, firing or nicking of a horse

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**Important, Practical and Feasible**

Noted that this is already banned in the Act.

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8. **Horses - Tail docking**  
- Must be performed by a vet or vet student under supervision.  
- May only be performed for therapeutic reasons  
- Must use pain relief at the time of the procedure.

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**Important, Practical and Feasible**

Clarified this is placing the status quo into regulations. Effectively prohibits. Possible concern around different rules for different species was raised, for example cattle. Though neither seen as necessary, group agreed on.

Further information required on whether this is practiced on any horse breeds currently, i.e. Clydesdales?

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9. **Horses - Caslick's procedure**

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- 
- Must be performed by a vet or vet student under supervision.
  - Must use pain relief at the time of the procedure.

### **Important but Problematic**

Procedure is commonly performed in studs. Many done by lay people 'skilfully' with anaesthetic. Agree with intent but practicality of enforcing this in these types of situations may prove problematic. Question posed of whether the behaviour would change if it were to be regulated?

Suggestion that MPI could insert a competency requirement around it to allow lay persons to continue doing so. Vet monitoring could be a suitable alternative, under Vet Operating Instructions (VOI) – the group were supportive of this idea. Ensuring the chain of responsibility for people involved in these procedures is very important, therefore a VOI would enable an appropriate level of oversight.

MPI invited further feedback on the level of competency displayed by lay persons in comparison with a vet undertaking this procedure.

### **PROCEDURES**

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10. **Horses - Pregnancy diagnosis of horses**
    - Must be performed by a vet or vet student under supervision.
  11. **Horses - Rectal examination of horses**
    - Must be performed by a vet or vet student under supervision.
  12. **Pigs, horses, llamas and alpacas - Castration**
    - Must be performed by a vet or vet student under supervision.
    - Must use pain relief at the time of the procedure.
    - Alpacas must not be castrated prior to eight months of age.
    - Llama and guanaco must not be castrated prior to fifteen months of age.

Matters 10-12 were addressed together. Similar issue arises with skilled lay persons performing these. MPI require further information on each procedure, such as how many lay people undertake the procedure and what evidence exists of where welfare issues have/would arise.

*Pregnancy Diagnosis:* There are operators that undertake the diagnosis themselves, approximately a 90/10 split vet-operator split however.

- Support for a specified list of procedures which prescribe vet only procedures.
- Contrasting concern of regulating these as vet only and the subsequent perception of protectionism.

### **TRANSPORT / RODEOS – not addressed**

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13. **Transport - An animal must be fit for transport**
  14. **Transport - Animals must be loaded and unloaded in a way that minimises risk of pain or distress.**
  15. **Transport - Animals must be appropriately prepared for transport including provision of sufficient food and water.**
  16. **Transport - Containers must allow the animal to travel in a natural posture.**
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17. **Rodeos/Commercial Slaughter** - Goads must not be used to move animals, except: (i) where the safety of the handler is at risk; or (ii) when loading a stunning pen; or (iii) for very stubborn cattle (but not calves).
  18. **Rodeos** - Fireworks, pyrotechnics and gas fired explosions of any type must not be used at rodeos.
  19. **Rodeos** - Prohibit riding sheep (including outside of rodeos)
- 

## **BRANDING**

- 
20. **All animals - Hot branding**
    - Prohibit hot branding
  21. **All animals (except dogs) - Freeze branding** - TBC - discuss options to minimise pain
- 

### **Practical Feasible and Important**

- Uncertainty around extent of hot branding practice, likely to be rare although parts of the Hanoverian association may still practice.
- Important as recent research illustrates hot branding causes more than minimal pain to animals.
- Further information to be sought on the extent of both hot/freeze branding with horses.

## **DENTAL – addressed together**

- 
22. **All animals - Non-invasive dental work** (does not involve extracting teeth, going under the gumline, or interfering with the pulp)
    - Must only be performed using dentistry tools.
  23. **All animals - Tooth extraction and endodontic procedures** (involving pulp)
    - Must be performed by a vet or vet student under supervision.
    - Must use pain relief at the time of the procedure.
- 

Any procedure below the gumline should not be done without a vet. Mainly undertaken by lay people. Equine 'schools' exist to upskill lay persons in practice but can be unreliable in the standards they are teaching at. Lay people undertake a majority of non-invasive dental work and some are preferred to vets. The experience of the person is the real issue as standards in work will vary.

If a level of regulation is to be placed on equine dentistry, then question becomes of how far through regulation should the 'gate be opened' to lay persons. Regulating gumline and limiting to vets would not significantly affect equine dentistry as it generally does not involve invasive procedures. Non-invasive rasping is very common part of work, so would not affect to a great extent.

*Tooth Extraction:* not seen as a common practice, but wolf teeth pre-molars practiced a lot by lay people. The choice of inserting a VOI option would be inappropriate as trying to avoid common use of a complex method. Breaking off wolf teeth may not go under gum line (further information required). As worded the regulation would allow this to continue – perhaps provide an exclusion to this practice.

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*Cheek Teeth:* A not insignificant procedure that presents a risk of welfare being compromised if done incorrectly. At the least there needs to be vet supervision to apply anaesthetic. But the strong preference for procedure is to be vet only due to technical nature.

*Incisors:* Belief by vets they shouldn't be removing incisors so would likely want to extend to lay people. Whilst in general lay people should be restricted to only certain areas above the gum line.

*Dentistry tools:* Issue raised around what is defined as a dentistry tool. Power tools shouldn't be used on animals for these procedures – yet are available to lay people (power flow). These can cause a lot of heat due to speed it operates at and substantial pain. More information is required on what tools can and should be used.

**OTHER MATTERS: Not Addressed.**

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**24. All animals - Embryo collection via exteriorised uterus (surgical embryo transfer)**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

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**25. All animals - Liver biopsy**

- Must be performed by a vet or vet student under supervision.
- Must use pain relief at the time of the procedure.

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**26. All animals - Piercing the tongue or tongue phrenum of an animal with a pig ring or similar thing or with any wire**

- Prohibit piercing the tongue or tongue phrenum of an animal with a pig ring or similar thing or with any wire
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**Post Meeting Feedback**



Feedback post  
meeting NZEHA anir



Equine Welfare  
Regulations Worksh

## **Animal Welfare Matters: Deer Matters for Regulation**

**NVSB & DINZ Meeting, 17 September 2015.**

Federated Farmers, Level 6 Board Room, Wellington.

**Attendees:** 4 x Deer NZ, 3 x Deer Farmers, NAWAC Chair, 3 x MPI

### **Introductory Comments**

NAWAC chair thanked the attendees for allowing time in their schedule to have MPI discuss the animal welfare matters with them. An overview of the regulation making process was provided and how they would interact with current codes. NAWAC and MPI

acknowledge the effort and resource invested by DINZ/NVSB in their industry programme. The current process underway by both is to:

- Look into the existing codes and identify what matters may be suitable to regulate. These will focus on matters that are practical, feasible and important. More contentious matters may be left for a second tranche of regulations
- The point of this pre-consultation is to test these initial ideas before moving forward with care/conduct and surgical procedure regulation.

MPI outlined the matters document. Many have been lifted from the codes, while others propose to lift the status quo in an area. MPI are seeking specific feedback on whether or not these are seen as important, feasible and practical to regulate.

### **Matters for Regulation**

The group ran through each of the relevant matters. The notes reflect where the discussion placed each issue in terms of importance and practicality, and identify the key points or issues raised within each. Some matters have been collated, where discussion ranged across multiple areas.

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1. **Electric prodders** - Electric prodders must not be used on animals other than adult cattle (exclusion for broader use at commercial slaughter premises).

#### **Important and Practical**

No issues with prohibiting use on animals, the Deer QA Programme currently sets this as a standard. Seen as an avoidable situation if the appropriate stock facilities are in place.

Re: Cattle, question was raised as to why 'adult cattle' are specified as the exception and how this would be applied in practice, via age, size?

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2. **Prodding** - Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum. Horses must not be struck around the head with a whip, lead or any other object. Pigs must not be whipped.

#### **Important and Practical**

No issues – though the definition of 'prod' should be carefully crafted, and the type of prod to be used assessed, for example sharp electric standards may be used by a minority. Considered that electric standards should not be used on deer as they can inflict a degree of pain on the animal regardless of where on the body the prod occurs and can easily pierce the skin.

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3. **Handling** - Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers. Chickens, except day-old chicks, must not be picked up or suspended by one leg, the wings or the neck. Pigs, including piglets, must not be picked up or suspended by one front leg, ears or tail. Camelids must not be lifted or dragged by their head, neck, fleece or tail or moved by twisting ears or tails or by
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lifting tails. Sheep may be handled by their limbs for the purpose of shearing.

### **Important and Practical**

Handling by the tail is the central issue with deer, causes internal bleeding and sometimes death of animal. Support for prohibition with deer, as it differs significantly from cattle handling. Issue isn't widespread however, as DINZ have been proactive in addressing behaviour early on.

More broadly, the wording of the regulation for other practices must not be overly stringent in its application as there are obvious yard/shifting situations that might require a degree of handling that falls outside that specified – needs to be an encompassing provision.

### *Comments on Infringements*

If infringements are seen as appropriate, they will need to be issued in a consistent and practical manner. Could cause resentment if fine process isn't handled correctly. For example, issuing of fines to solely the farmer or to vet involved

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#### 4. **Deer - Develvetting**

- Must be performed by a person accredited by a third party
- Must use pain relief at the time of the procedure.
- Procedure must be done according to third party accreditation standards.

### **Important but Problematic**

What will accreditation involve and what standards will apply? The industry recognise the market has the ability to deliver a scheme outside of NVSB, but strong concerns on how this could negatively affect best practice already in place and potential piggy backing off the existing scheme.

Could MPI develop a process for accreditation and how might this be applied? Suggested that potentially room for a scheme approved/recognised by MPI's Director-General that also sets criteria for accreditation (industry approved criteria consistent with NVSB standards). MPI is continuing to look into whether this is possible and feasible in application – much of this will come down to the vet, NVSB and farmer relationship at hand.

Concerns raised that any third party accreditation scheme could waterdown current standards – severely undermining the best practice standards that the industry has developed over a significant amount of time.

Ability for NVSB to continue and maintain their programme will often come down to budget constraints outside of the industry control e.g. MPI prosecution budget. The regulations, if implemented and enforced correctly, will support industry to address rare non-compliance situations that arise. Envisage an umbrella programme that protects established reputation.

NAWAC notes there is perhaps grounds to explore VCNZ act – though could push responsibility onto vets which becomes a risk where allowing vets with little experience to take the reins. Problematic to move responsibility from one group to another.

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If regulation in this area become more prescriptive of who, what, where, when then may be subject to abuse/loopholes.

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## **TRANSPORT**

5. [An animal must be fit for transport](#)
6. [Animals must be loaded and unloaded in a way that minimises risk of pain or distress.](#)
7. [Animals must be appropriately prepared for transport including provision of sufficient food and water.](#)
8. [Containers must allow the animal to travel in a natural posture.](#)

### **Important but problematic**

- Minimising pain and risk is difficult to regulate. Often dependent on transport carriage and how ramps are set up. Accredited carriers programme for deer currently in place.
- Stock crate design is an issue to address for ventilation. Common issues arising in design that create welfare problems. MPI likely are not always exposed to the extent of these.
- Cattle: animals may be unfit for transport for different reason – ie diseased verses the result of neglect / omission. Clear evidence of transport issues where stock is unfit for transport but is in fact being culled for Johne's disease. Tensions arises where sending unfit animals off for culling diseased state and unfit animals travelling based on an omission/neglect.
- Density criteria will determine 'natural posture'. During journey posture can always chance from standing to sitting. Accordingly a regulation specifying density would not be an issue to implement as there are pre-existing industry standards.

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## **COMMERCIAL SLAUGHTER**

9. [The lairage must provide adequate shelter and ventilation to protect the welfare of the animals being held for slaughter.](#)
10. [Facilities where animals are held for more than 4 hours must allow all animals to move freely, stand up and lie down.](#)
11. [Where animals are washed, the washing facilities must be designed and operated in a manner that causes minimal distress and which does not cause injury.](#)
12. [All animal handling facilities must be operated so that they do not result in injury to animals.](#)
13. [Goads must not be used to move animals, except: \(i\) where the safety of the handler is at risk; or \(ii\) when loading a stunning pen; or \(iii\) for very stubborn cattle \(but not calves\).](#)

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### **Important but Problematic**

- Adequacy of commercial slaughter matters becomes difficult to regulate in practice.
  - Lairage facilities are not always appropriate to hold animals. Therefore where deer are placed in mixed mobs and social groups, this creates welfare issues in itself.
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- Ventilation requirements for lairage should also be developed, while spacing and time requirements need to be inserted where appropriate across all of these matters.
- *Washing matter*: concept of minimal distress becomes an issue where washing is often done so to improve the welfare of the animal (dust, dags etc.). Each plant employs different washing practices. Mist v Washing – these are different which may need clarification in terms of what we are trying to target.
- Handling facilities are important but problematic similarly to other slaughter provisions.

## **ALL ANIMALS**

14. **Hot branding**  
- Prohibit hot branding
15. **Freeze branding** - TBC - discuss options to minimise pain
16. **Non-invasive dental work** (does not involve extracting teeth, going under the gumline, or interfering with the pulp)  
- Must only be performed using dentistry tools.
17. **Tooth extraction and endodontic procedures** (involving pulp)  
- Must be performed by a vet or vet student under supervision.  
- Must use pain relief at the time of the procedure.

## **Practical and Feasible but not important**

These matters were not practiced on deer. Therefore they were seen as feasible and practical but not important in that sense.

- **To date, no Deer Industry Feedback has been provided.**

## **OTHER FEEDBACK RECEIVED**

- *Aquaculture New Zealand*



Aquaculture NZ.pdf

- *Abattoirs Association*



Abattoirs  
Association Feedback.pdf

- *New Zealand Rock Lobster Industry Council*



Feedback Rock  
Lobster Commercial.

- *Animal Behaviour and Welfare Consultative Committee*



Feedback post  
ABWCC meeting - di

- *New Zealand Rodeo Cowboys Association*



Feedback NZ  
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